

VERDICTUM.IN

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 6940 of 2023

Petitioner :- Kusum Singh And Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home, Civil Sectt. Lko. And Others

Counsel for Petitioner :- Dinesh Kumar Mishra

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

It has been informed that the advocates are abstaining from judicial work. Learned A.G.A. is present for the State-respondents.

This petition has been filed praying the following relief:-

(i) Issue a writ, order or direction in the nature of mandamus commanding the opposite party nos. 2 and 3 to conduct an inquiry against the Pradeep Kumar Yadav, S.H.O. Kurebhar, District- Sultanpur who misbehaved with the female petitioners against her dignity of the female petitioners and the same is in camera of the petitioners who prepared on spot and also badly beaten the old father of the petitioner no. 1 and same is also in camera proceeding and on the basis of complaint/application dated 24.6.2023 contained as Annexure-2 to the writ petition moved by the father of the petitioner no. 1 through the registered post in the interest of justice.

We have gone through the pleadings made in the writ petition. From the pleading it appears that the petitioners are accused in the F.I.R. dated 21.06.2023 being Case Crime No.0160 of 2023 under Sections 353, 504, 506 and 34 of the I.P.C., P.S. Kurebhar, Distt. Sultanpur. They had challenged the said F.I.R. by filing CRIMINAL MISC. WRIT PETITION No. - 5137 of 2023, which was disposed of by this Court by giving protection to the petitioner in the light of the directions given by the Hon'ble Supreme Court in the case of ***Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273***. The allegations impugned in the present writ petition is that when they went to the police station for their statements recorded, S.H.O. Kurebhar, District-Sultanpur misbehaved with the petitioners and the entire video of incident was recorded by the petitioner no. 2.

Learned A.G.A. shall seek instruction in the matter from the opposite party no. 3- Superintendent of Police, Sultanpur, who

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shall conduct an inquiry regarding allegation of the misbehaviour and also examine the CCTV footage, if any, of the P.S. Kurebhar, Distt. Sultanpur before giving some instruction to the learned A.G.A.

List on 26th September, 2023 **as fresh.**

Order Date :- 5.9.2023

Anuj Singh