

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 509 of 2020

Petitioner :- Mahendra Pratap Singh

Respondent :- State of U.P. through Secretary (Home) and others

With

Case :- CRIMINAL MISC. WRIT PETITION No. - 15525 of 2020

Petitioner :- Sadhna Pandey

Respondent :- Union of India and others

Counsel for Petitioner :- Mr. Mahendra Pratap Singh (In Person) Mr. Mridul Chandra Tiwari, Advocate

Counsel for Respondent :- Mr. G.S. Chaturvedi, Senior Advocate and Sri Manish Goyal, Additional Advocate General assisted by Sri Abhishek Vikram for State

Hon'ble Rajesh Bindal, Chief Justice

Hon'ble Piyush Agrawal, J.

At the time of hearing, Mr. G.S. Chaturvedi, learned Senior Counsel pointed out that there is an error in the order recorded by this Court on December 2, 2021. In para 3 thereof, it is recorded that the Principal of the school has handed over about 20 letters written by different students alleging many things about the deceased. In fact these letters include the letter written by the deceased as well. These letters did not allege anything about the deceased. The order may be deemed to be corrected to that extent.

It was further pointed out at the time of hearing that Sushma Sagar, Principal of the school has been taken into custody.

He further pointed out that the mother of the deceased had not got her statement recorded under Section 164 Cr. P.C. To this, learned counsel appearing for the petitioner in Criminal Misc. Writ Petition No. 15525 of 2020, submitted that on two occasions i.e. on December 6, 2021 and December 14, 2021, the mother of the deceased had gone to the Court, however her statement was not recorded for the reason that on December 6, 2021, the Judicial Officer was on leave whereas on December 14, 2021, there was no work in the Court because of bereavement. However, it is submitted that she can appear in Court on any date for getting her statement recorded under Section 164 Cr. P.C.

Let the mother of the deceased appear in the Court of Magistrate on December 22, 2021 for getting her statement recorded under Section 164 Cr. P.C.

As submitted by Mr. Chaturvedi, learned Senior Counsel that an application filed for Narco Analysis of the mother of the deceased, is also pending in the Court. Let the Court may also consider the prayer made in that application.

Learned counsel for the petitioner in Criminal Misc. Writ Petition No. 15525 of 2020, has handed over seven coloured photographs of the deceased to Mr. Abhishek Vikram, learned counsel for the State, which in turn may be handed over to the Investigating Agency to find out if any lead can be taken from the photographs.

Adjourned to January 11, 2022.

Date :- 16.12.2021

Rahul Dwivedi/Shiraz

(Piyush Agrawal, J.)

(Rajesh Bindal, C.J.)