

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 13989 of 2023

Petitioner :- Smt.Anamika Singh And 2 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Arun Kumar Tripathi

Counsel for Respondent :- G.A.,Dhirendra Kumar Verma,Srawan Kumar Swarnkar

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Learned A.G.A. has produced a certificate, issued by the Principal, Lal Bahadur Shastri Smarak Gramothan Inter College, Fatehpur, certifying the date of birth of the victim to be 10.6.2006. The same is taken on record.
2. Heard learned counsel for the petitioners, learned counsel for the first informant and learned A.G.A. for the State.
3. The instant writ petition seeks quashing of the FIR dated 22.7.2023 giving rise to Case Crime No. 202 of 2023, under Sections 363 I.P.C., Police Station- Husainganj, District- Fatehpur.
4. The FIR alleges that the victim is minor. To controvert the allegations made in first information report, reliance has been placed on Aadhar Card.
5. It is settled law that the Aadhar Card/Pan Card is not a valid document for the determination of age of an individual.
6. Moreover, the allegations made in the First Information Report clearly disclose commission of cognizable offences and the allegations are serious in nature. Therefore, prayer of the petitioners to quash the First Information Report is completely misconceived and is rejected.
7. The writ petition is therefore **dismissed**, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 30.11.2023

Vandana