

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16663 of 2023

Petitioner :- Smt. Yogita @ Km. Yogita @ Yogyata And 5 Others

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Alok Kumar Srivastava, Shweta Srivastava

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi, J.

Hon'ble Mohd. Azhar Husain Idrisi, J.

Heard learned counsel for the petitioners and learned A.G.A. Perused the record.

The instant writ petition is being filed by the petitioners seeking the quashing of FIR dated 29.09.2023 registered as case crime no. 281 of 2023, under sections 366, 506 IPC, Police Station-Bharthana, District-Etawah.

The petitioners Ms. Yogita @ Km. Yoghita @ Yogyata and Rahul are present who have been duly identified by Sri Alok Kumar Srivastava, learned counsel for the petitioners. They have jointly sworn the writ petition assailing the F.I.R. lodged on 29.09.2023 under Sections 366, 506 I.P.C. by informant Ms. Shashi through an application under Section 156(3) Cr.P.C. This F.I.R. has been registered against the petitioner Rahul and his family members for the alleged enticement. The petitioner no. 1-Ms. Yogita states that her date of birth is 27.09.2001 and petitioner no. 2 Rahul states that he is aged about 21 years.

It is contended by learned counsel for the petitioners that boy is doing computer course and he met with the girl in some marriage ceremony and they have decided to marry with each other. Both are major and they have every right to choose their partner. It is further contended that petitioner is earning by doing some business and his monthly income is Rs.2,000/- plus and he would certainly take good care of his wife. They have not got their marriage registered. In this regard, an application has been given by petitioner no. 2 Rahul and they would get their marriage registered within one month.

In the circumstances, interest of the petitioners is protected provided they will regularly present before the Investigating Officer as and when required and they shall render full cooperation in the investigation. It is expected from the

Investigating Officer concerned that he shall file report under Section 173(2) Cr.P.C. within a period of 60 days from today.

With the aforesaid observation, this writ petition is **disposed of.**

Order Date :- 26.10.2023

Rmk.