

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16681 of 2023

Petitioner :- Rohit Gupta And Another

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

Counsel for Petitioner :- Amar Bahadur Maurya

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

1. Heard Sri A.B. Maurya, learned counsel for the petitioner and learned A.G.A. for the State and perused the record.

2. By means of the present petition the petitioner is assailing the legality and validity of the F.I.R. lodged by Respondent No.4 against petitioner Rohit Gupta with the allegation that he has enticed away his daughter Guru Preet Kaur aged about 19-1/2 years.

3. Learned counsel for the petitioner drawn the attention of this Court to the High School Certificate of Guru Preet Kaur (Annexure-3 to the writ petition), whereby as per the High School certificate her date of birth is 1st March, 2004 and on the date of incident she is probably a major girl who has her right to decide her future. She has chosen Rohit Gupta as her right life partner and by means of the present petition, both Rohit Gupta and Guru Preet Kaur have sworn this affidavit jointly declaring that they have got married on 6.10.2023 at village Rajpura Kalan, P.S. Aliganj, district Bareilly as per the Arya Samaj Rites. It is also expected that they would be very soon get their marriage registered. It is expected from the petitioners to get the marriage registered by 30th November, 2023.

4. Investigation shall go on unabated and it is also expected from the Investigating Officer that he shall file his report under Section 173(2) Cr.P.C. latest by 31st November, 2023.

5. The petitioner shall cooperate in the investigation.

6. Till the submission of report under Section 173 (2) Cr.P.C. by the police the petitioner shall not be arrested in Case Crime No.

498 of 2023 under Sections 363, 366 IPC, Police Station Aonla,
District Bareilly.

7. The instant writ petition is disposed of.

Order Date :- 26.10.2023

Kumar Manish.

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(Mohd. Azhar Husain Idrisi,J.) (Rahul Chaturvedi,J.)