

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16931 of 2023

Petitioner :- Vikram Singh @ Vikrant

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

Counsel for Petitioner :- Ayush Kaushik

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Hon'ble Anish Kumar Gupta,J.

Heard Sri Ayush Kaushik, learned counsel for the applicant, learned AGA for the State and perused the record.

By means of the present criminal writ petition, the petitioner is challenging the legality and validity of the FIR dated 06.10.2023 registered as case crime no. 0298 of 2023 under Section 366 IPC, P.S. Bhawanpur, District Meerut.

This is the petition on behalf of the petitioner Vikram Singh @ Vikrant who claims himself to be the legally wedded husband of Ms. Parul. Submission made by learned counsel for the petitioner is that as per the high school certificate, the date of birth of the victim (Ms. Parul) is 07.05.2002 and on the date of incident, she is proven a major girl who can decide her future. It is, therefore, contended by learned counsel that the petitioner Vikram Singh @ Vikrant and Ms. Parul got married as per their own choice and willingness. The photocopy of the marriage certificate dated 20.09.2023 has been filed as annexure no.2 to the writ petition.

Thus, taking into account the totality of circumstances, the couples are major and they have every right to chose their life partner and they have chosen each other as their life partner.

The circumstances though, we are refraining ourselves from quashing of the FIR but is made clear that the investigation shall come to its logical conclusion and the parties are required to appear before the Investigating Officer concerned as and when required by him. In addition to it, the Investigating Officer of the case is also required to record the 164 Cr.P.C. statement of the girl and file a report under Section 173 (2) Cr.P.C. within next 60 days.

The writ petition is, accordingly, disposed of.

Order Date :- 6.11.2023

Ashish Pd.