

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 17151 of 2023

**Petitioner :-** Sakina Khatoon And Another

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

**Counsel for Petitioner :-** Pradeep Kumar Tiwari, Manish Tiwari

**Counsel for Respondent :-** G.A.

**Hon'ble Anjani Kumar Mishra, J.**

**Hon'ble Vivek Kumar Singh, J.**

1. Heard learned counsel for the petitioners, learned counsel for the first informant and learned AGA.
2. The writ petition seeks quashing of the F.I.R. dated 01.08.2023 giving rise to Case Crime No.546 of 2023, under Section 363 I.P.C., Police Station- Campierganj, District- Gorakhpur.
3. The FIR alleges that the victim is minor. This is sought to be controverted by the learned counsel for the petitioner on the basis of a Adhar Card, which is not a valid document for the said purpose.
4. It is settled law that Adhar Card is not admissible for determination of age of a person, therefore, reliance upon the Adhar Card cannot be accepted. Moreover, the only document which has been discarded above no other document is there which would have prima facie show that the victim is major as sought to be conveyed by way of this writ petition.
5. Under the circumstances, the allegations in the FIR constitute a cognizable offence.
6. The petition is, therefore, dismissed.

**Order Date :-** 2.11.2023

Himanshu