

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17553 of 2023

Petitioner :- Smt. Madhu And Another

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

Counsel for Petitioner :- Anees Baig

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 09.10.2023 giving rise to Case Crime No.0524 of 2023, under Sections 363 I.P.C., Police Station- Sadar Bazar, District- Agra.
3. The FIR alleges that the victim is minor. To controvert the allegations made in first information report, reliance has been placed on Aadhar Card.
4. It is settled law that the Aadhar Card/Pan Card is not a valid document for the determination of age of an individual.
5. 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 petitioner to quash the First Information Report is completely misconceived and is rejected.
6. The writ petition is therefore dismissed, without prejudice to the right of the petitioner to apply for bail/anticipatory bail.

Order Date :- 21.11.2023

Aditya Tripathi