

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 18453 of 2023

Petitioner :- Kriti Soni And Another

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

Counsel for Petitioner :- Sami Ullah Khan

Counsel for Respondent :- G.A.,Dhirendra Kumar Verma,Srawan Kumar Swarnkar

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Heard Sri Sami Ullah Khan, learned counsel for the petitioners, learned A.G.A. for the State and perused the record.

By means of the present writ petition under Article 226 of the Constitution of India, the petitioners are assailing the legality and validity of the F.I.R. dated 11.08.2023 registered as case crime No. 213 of 2023, under Section 366 I.P.C., Police Station-Sarai Mamrez, District Prayagraj.

Learned counsel for the petitioners submits that the respondent no. 3 has lodged the F.I.R. only against petitioner no. 2 Abhishek Yadav. The allegation in the F.I.R. is that petitioner no. 2 Abhishek Yadav is minor and petitioner no. 1 Ms. Kriti Soni, daughter of the respondent no. 3 is presently in the company of petitioner no. 2. He further submits that age of the petitioner no. 1, as per High School Certificate, is 12.04.2005 and as on date she is aged about 18 years three months and without any relationship, she is residing in the company of petitioner no. 2 Abhishek Yadav.

In the circumstances, it is incumbent upon the petitioner no. 2 Abhishek Yadav to produce the girl Ms. Kriti Soni on 04.12.2023 before the concerned Investigating Officer for recording her statements under Sections 161 and 164 Cr.P.C. Thereafter the concerned Investigating Officer shall take the victim to the Chief Judicial Magistrate, Prayagraj for recording her statements under Sections 161 and 164 Cr.P.C. Fate and future of the Abhishek Yadav shall be depended upon the Statements of the victim under Sections 161 and 164 Cr.P.C.. The Court wonders as to in which capacity she is residing with the boy Abhishek Yadav. They are not a married couple, then she must spell out as to what is the relationship between them. As mentioned above aforesaid statements of the girl is play a pivitol role or vital importance for deciding the future of the boy.

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

Order Date :- 28.11.2023/Rmk