

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 1949 of 2023

Petitioner :- Shivendra Mishra And 2 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 3 Others

Counsel for Petitioner :- Laxmi Narayan Gupta, Ajai Vikram Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

(1) Heard the learned counsel for the petitioners and the learned A.G.A. who appears for the Opposite party nos.1, 2 & 3.

(2) Learned counsel for the petitioners has pointed out the order passed by this Court on 20.03.2023. He says that the Petitioner no.2 (Gopal) got married with the Petitioner no.3 (Chhoti Bitiya alias Saurabhi Devi) in Arya Samaj Mandir on 16.02.2023 and a supplementary affidavit to the same effect has already been filed in the petition. It has now been submitted that the Petitioner no.3 has also been blessed with a baby out of the wedlock.

(3) This petition is **disposed of** with a direction to the Petitioner nos.1 and 2 to produce the **Petitioner no.3 (Chhoti Bitiya alias Saurabhi Devi)**, before the Investigating Officer concerned for recording of her statements under Section 161 and 164 Cr.P.C. before the Magistrate concerned **within a week from today**. The arrest of the Petitioner nos.1 and 2 shall remain stayed in pursuance of the F.I.R. dated 12.02.2023 relating to F.I.R./ Case Crime No.0052/2023, under Sections 363, 366 I.P.C. at Police Station Pali, District Hardoi, for a **period of two weeks that is till 19.12.2023 or till recording of the statements of the Petitioner no.3 before the Magistrate concerned, whichever is earlier.**

Order Date :- 5.12.2023

N.PAL