

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4802 of 2023

Petitioner :- Anil And Others

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

Counsel for Petitioner :- Pramod Kumar Yadav

Counsel for Respondent :- G.A.

Hon'ble Dinesh Kumar Singh,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

1. Heard learned counsel appearing for the accused-petitioner and learned Additional Government Advocate appearing for the State.
2. Present petition under Article 226 of the Constitution of India has been filed seeking quashing of FIR No.0116 of 2023 under Sections 376, 452, 504, 506, 323 IPC, 3/4 POCSO Act, Police Station Asiwan, District Unnao.
3. Learned counsel appearing for the petitioners submits that impugned FIR has been lodged in counter blast and in retaliation to the suit for restitution of conjugal rights filed by the petitioners. Daughter of respondent No.4 and petitioner No.1 have performed marriage.
4. Considering the submission, we direct that till the credible evidence against petitioners is found, they shall not be arrested subject to full cooperation in the investigation.
5. With the aforesaid, the petition is **disposed of**.

(Syed Qamar Hasan Rizvi,J.) (Dinesh Kumar Singh, J.)

Order Date :- 22.6.2023

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