

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 5077 of 2023

Petitioner :- Dhani Ram Yadav And Another

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

Counsel for Petitioner :- Sushil Kumar Misra,Vishnu Kant Dwivedi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioners and the learned A.G.A. for the State Respondents.
2. This writ petition has been filed with the prayer that a direction be issued to the Superintendent of Police, Barabanki and the Station House Officer, Police Station- Satrikh, District - Barabanki not to harass the petitioners without any reason.
3. Learned A.G.A. for the State Respondents has produced instructions before this Court sent by the Sub-Inspector of Police, Police Station - Satrikh, District - Barabanki wherein it has been stated that the petitioner no.1 is the father of the opposite party no. 4, Satyendra Kumar Yadav and also of the petitioner no.2, Yogendra Singh Yadav. Satyendra Singh Yadav has been born out of the first marriage of the petitioner no.1 and Yogendra Kumar Yadav has been born out of the second marriage of the petitioner no.1. There was an altercation between the petitioner no. 2 and the opposite party no. 4 with regard to the possession of property situated in Kamla Nehru Nagar, Kalyanpur, Police Station- Indira Nagar, District-Lucknow. The police had reached the spot and had initiated proceedings under Section 151/107/116 of the Cr.P.C. on 30.05.2023. The petitioner no. 2 was also arrested on the same day.
4. It has been submitted by learned counsel for the petitioners that the petitioners are being

harassed by the Police personnel of Police Station-Satrikh, District- Barabanki at the behest of the opposite party no. 4, who is also a Journalist. The opposite party no. 4 has already taken over the possession of parental property of the petitioner no.1, he is now trying to take possession of self-acquired property of the petitioner no.1.

5. The written instructions are kept on record.

6. This writ petition is ***disposed of*** with the observation that the petitioner no. 1 has remedy under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and he may approach the Prescribed Authority concerned.

Order Date :- 28.11.2023

Darpan Sharma