

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 7338 of 2023

**Petitioner :-** Chandra Gupt Maurya And Another

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

**Counsel for Petitioner :-** Sudhaker Prakash

**Counsel for Respondent :-** G.A.

**Hon'ble Mrs. Sangeeta Chandra,J.**

**Hon'ble Karunesh Singh Pawar,J.**

This petition has been filed with the following main prayers:-

*"(i) Issue a writ, order or direction in the nature of certiorari, thereby quash the impugned First Information Report Dated 13-09-2023, lodged by opposite party no.4, against the petitioners, vide F.I.R. No. 300/2023, under section-304B,498A I.P.C.& 3/4 Dowry Prohibition Act Police Station-Talgaon, District- Sitapur, contained as annexure no.1 to this writ petition, in the interest of justice.*

*(ii) Issue a writ, order or direction in the nature of mandamus commanding the opposite party no. 2 and 3, not to arrest or adopt any coercive measures against the petitioners on the basis of the impugned First Information Report Dated 13-09-2023, lodged by opposite party no.4, against the petitioners, vide F.I.R. No. 300/2023, under section- 304B,498A I.P.C.& Dowry Prohibition Act Police Station- Talgaon, District-Sitapur, in the interest of justice."*

Supplementary Affidavit has been filed today by the learned counsel for the petitioners containing

the typed copy of the First Information Report impugned in this writ petition, which is taken on record.

The allegation in the First Information Report is that the informant has married his daughter to Vikas Maurya, S/o Chandra Gupt Maurya on 21.6.2021 giving dowry of around Rs.8,00,000/-. However, soon after the marriage, the daughter of the informant was harassed for more dowry by her husband and his family members. Rs.3,00,000/- were demanded as additional dowry which the informant could not fulfill as a result whereof the daughter of the informant was killed in the night of 12/13.9.2023.

Heard learned counsel for the petitioners at some length and also the learned A.G.A. for the respondents State.

It has been submitted that the impugned First Information Report has been lodged only to harass the petitioners, who are the family members i.e. the father and mother of Vikas Maurya, the husband of the deceased. It has been submitted that the brother of the deceased had run away with a girl of his village and First Information Report under Section 366 I.P.C. was lodged against him and also against the husband of the deceased for helping the brother of the deceased. As a result whereof the husband of the deceased was sent to jail along with his brother-in-law/sala. When he came back from jail on bail he had an altercation with the deceased with regard to his false

implication and his sending the jail only because of misdeeds of his brother-in-law. The deceased got agitated and committed suicide.

This court has perused the First Information Report and finds that the marriage took place only in the year 2021 and the deceased committed suicide within two years' of marriage. There is a presumption raised against the petitioners, who are the in-laws.

This court has also been informed by learned A.G.A., on the basis of instructions sent by Sub-Inspector, Police Station Talgaon, Sitapur that on 15.9.2023 Vikas Maurya, the husband of the deceased has been arrested and sent to jail.

This Court from perusal of the impugned F.I.R. finds no good ground to show interference.

The writ petition is, accordingly, dismissed.

**Order Date :- 17.10.2023**

Madhu