

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8028 of 2023

Petitioner :- Renu And Another

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

Counsel for Petitioner :- Anil Kumar Nishad, Jagroopan Nishad, Vinay Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Ajai Kumar Srivastava-I, J.

1. Heard the learned counsel for the petitioners and the learned A.G.A. for the respondent State.

2. Petitioners have filed this petition with the following prayers:-

"1. To issue a writ, order or direction in the nature of mandamus commanding the opposite parties not to harass and interfere in personal life and liberty to the petitioners in light of Article 21 of the constitution of India The copy of application dated 22-9-2023 is being annexed herewith as annexure no.1 to this writ petition.

2. To issue a writ, order or direction in the nature of mandamus commanding the opposite party no. 5 Station House officer police station Alapur District Ambedkarnagar not to send to the petitioners forcefully and illegally with opposite party no. 6 and any others unknown person in light of Article 21 of the constitution of India."

3. It has been submitted by the learned counsel for petitioners that the opposite party no.6-Dev Mani Tiwari is the husband of the petitioner no.1. He has married another lady, some dispute has already been raised in this regard and FIR no.186 of 2022 under Section 376, 506, 323 IPC and 66 of the Information Technology Act was lodged on 10.08.2022 by the second wife-Ragini against Dev Mani Tiwari-opposite party no.6. However, the S.H.O. of Police Station-Alapur, District-Ambedkar Nagar is forcing the petitioners to go and live with the opposite party no.6.

4. The petitioner no.1 has also made a detailed application in this regard on 22.09.2023 to the Principal Secretary Home, the Director General of Police, the Superintendent of Police,

Ambedkar Nagar and also to S.H.O., Police Station-Alapur, District- Ambedkar nagar, a copy of which is filed as annexure no.1 to the writ petition.

5. This petition is ***disposed of*** with the direction to Superintendent of Police, Ambedkar Nagar to meet the grievance of the petitioners to decide the case expeditiously in accordance with law within a period of six weeks from the date a certified copy of this order is placed before him.

Order Date :- 16.10.2023

-Amit K-