

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8110 of 2023

Petitioner :- Bauva Alias Bauva Kumar And Another

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

Counsel for Petitioner :- Sachida Nand,Jyoti Rajpoot,Shrawan Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

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

2. This petition has been filed with the following main prayer:-

"(i) to Issue a writ or direction in the nature of certiorari by quashing the impugned First Information Report dated 14.09.2023, bearing FIR No-292/2023, U/s- 363 & 366 IPC, P/s- Hasanganj, Distt- Unnao, lodged by Opposite Party No- 3 against the petitioner No- 1.

(ii) Issue a writ or direction in the nature of mandamus directing the opposite parties no.1 & 2 to provide protection/security to the petitioners in the subject matter."

3. It has been submitted by learned counsel for the petitioners that the F.I.R. falsely implicates the petitioner No.1 in fact the petitioner No.1 has married with petitioner No.2 who is major as is evident from the birth certificate issued by the Registrar (Birth & Death), Gram Panchayat Nooruddinpur, a copy of which has been filed as Annexure No.3 to the petition. The petitioners have married with each other on 09.10.2023 as per Hindu Rites and Rituals, a copy of the certificate issued by the Arya Samaj Mandir has been filed as Annexure No.4 to the writ petition.

4. This Court has gone through the instructions sent by the

Deepak Kumar, Sub Inspector, P.S. Hasanganj, District Unnao wherein it has been mentioned that as per educational certificate, the date of birth of Payal is 19.05.2006. The victim has not yet been recovered.

5. Accordingly, the writ petition is dismissed.

Order Date :- 18.10.2023

Saurabh Yadav/-