

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9199 of 2023

Petitioner :- Amrendra Singh

Respondent :- State Of U.P. Thru. Secy. Home Deptt. Civil Sectt. Lko And 5 Others

Counsel for Petitioner :- Shiv Shanker Sen

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard the learned counsel for the petitioner and learned AGA for the State-respondents.

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

"(i) Issue a writ, order or direction in the nature of Certiorari quashing the impugned first information report dated 26.11.2022 lodged in Case Crime No. 0343 of 2022 under section 376, 419, 420, 406, 506 IPC police station Indira Nagar, District Lucknow contained in Annexure no.1 to this writ petition.

(ii) Issue a writ, order or direction in the nature of Certiorari quashing the impugned first information report dated 24.09.2023 lodged in Case Crime No. 0373 of 2023 under section 376, 419, 420, 406, 506 IPC police station Gudamba, District Lucknow contained in Annexure no.2 to this writ petition.

(iii) Issue a writ, order or direction in the nature of Mandamus thereby commanding and directing the opposite parties not to arrest the petitioner in pursuance of the impugned first information report dated 26.11.2022 lodged in Case Crime No. 0343 of 2022 under section 376, 419, 420, 406, 506 IPC police station Indira Nagar, District Lucknow contained in Annexure no.1 to this writ petition.

(iv) Issue a writ, order or direction in the nature of Mandamus thereby commanding and directing the opposite parties not to arrest the petitioner in pursuance of the impugned first information report dated 26.11.2022 lodged in Case Crime No. 0373 of 2023 under section 376, 419, 420, 406, 506 IPC police

station Gudamba, District Lucknow contained in Annexure no.2 to this writ petition."

3. It has been submitted by learned counsel for the petitioner that his wife, opposite party no.5, has lodged impugned FIR at the behest of her father who does not want the petitioner to remain married to the opposite party no.5 by hook or by crook and he is trying to destroy the relationship of the petitioner with opposite party no.5 as she got married to the petitioner against the wishes of opposite party no.6. The certificate of registration of marriage was filed along with Criminal Misc. Writ Petition no.1385 of 2022; *Smt. Kajal Singh and another vs. State of U.P. and others*, where this Court had granted interim protection vide order dated 16.03.2022, whereafter the wife of the petitioner was taken away by her father and therefore the petitioner lodged an Habeas Corpus Petition No.84 of 2022 where the learned AGA was directed to seek instructions by this Court vide order dated 18.04.2022. The petitioner's wife has willingly married the petitioner but has been forced to stay with her parents by the opposite party no.6 and lodge the impugned FIR.

4. This Court, from the perusal of the detailed FIR narrating the entire story of how the petitioner managed to get a loan of RS.10 lakhs by defrauding the opposite party no.5, does not find any good ground to show interference as prayed in this petition.

5. The Writ Petition is, accordingly, **dismissed**.

Order Date :- 4.12.2023

Arnima