

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9228 of 2023

Petitioner :- Avantika Awasthi (Minor As Per Adhaar Card)
Thru. Her Friend Abhay Raj And Another

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

Counsel for Petitioner :- Dharendra Pratap Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondents and perused the material placed on record.

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

"(I) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties not to harass the petitioners without there being any registered criminal case.

(II) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties to provide security to the petitioner no.1 as well as the petitioner no. 2 from false implication on the instance of the op no.4."

Learned counsel for the petitioners has submitted that petitioner No.1 has been shown to be a minor in her educational documents, although she is major. She was being ill-treated by her father, the opposite party No.4, therefore, she ran away to Gwalior. Later on she came back to Raebareli and met petitioner No.2 and petitioner No.2 has helped her being a family friend but the police are harassing the petitioner No.2. Petitioners, therefore, filed this writ petition with the aforesaid prayers.

During course of argument, this Court had the occasion to talk to the petitioner No.1 personally and she revealed the telephone number of her father. Learned A.G.A. was asked to talk on telephone to her father, opposite party No.4. Opposite Party No.4 during course of conversation has revealed that F.I.R. was lodged as Case Crime/F.I.R. No.906/2023, under Section 363

I.P.C. at Police Station Sarai Rohilla, North Delhi.

In view of the above, this writ petition is hereby **dismissed**, leaving it open to the petitioners to approach the appropriate forum.

Order Date :- 5.12.2023

ML/-