

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9381 of 2023

Petitioner :- Nidhi Punj Mishra And Another

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

Counsel for Petitioner :- Deepak Kumar Pandey, Paritosh Shukla

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 Shri Ashish Raman Mishra, Advocate who has filed his Vakalatnama on behalf of opposite party No.4 and perused the record.

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

(i) Issue a Writ, order or direction in the nature of Mandamus directing the Respondents to not disturb the happy and peaceful life of the Petitioners who are currently living together as husband and wife;

(ii) Issue a Writ, order or direction in the nature of Mandamus, directing the Respondent No.1 to 3 not harass the Petitioners who are deeply in love with each other and are living freely as husband and wife of their own free will, in the light of judgment of Hon'ble Supreme Court in *lata Singh Vs. State of U.P.*, 2006 (5) SCC 475;

(iii) Issue a Writ, order or direction in the nature of Mandamus, directing the Respondent No.1 and 2 to provide safety and security for the life of the Petitioners from the Respondent No. 3, 4 and 5."

Shri Ashish Raman Mishra has pointed out that the F.I.R. has been lodged in the said case, a copy of such F.I.R. has been produced before this Court, i.e. F.I.R. No.0400/2023, under Sections 366, 505 I.P.C., lodged on 07.12.2023 at Police Station Kotwali Nagar, District Balrampur.

Learned counsel for the petitioners prays for withdrawing the

writ petition with liberty to file fresh petition.

Accordingly, the writ petition is **dismissed as withdrawn** with the aforesaid liberty.

Order Date :- 12.12.2023

ML/-