

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9569 of 2023

Petitioner :- Gopal

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

Counsel for Petitioner :- Prabhat Dwivedi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner and learned A.G.A. who appears on behalf of the State Respondents.

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

"i) Issue writ order in nature of certiorari for quashing the impugned first information report dated 05.12.2023 lodged by opposite party No.4 under pursuance of section 306 1.P.C. in FIR/Case Crime No. 237/2023, P. S- Ranipur, District-Bahraich, in respect of petitioner, contained as Annexure No.1, in the interest of justice.

ii) Issue writ order in nature of mandamus commanding to the concerned opposite parties that they not arrest the petitioner on the basis of impugned first information report, in the interest of justice."

3. It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the impugned F.I.R. and he is completely innocent.

4. This Court has gone through the F.I.R. which has been lodged by the father of the deceased saying that his daughter got married around 20 years ago to one Vinod Kumar and from the said marriage three children were born, the eldest child was 18 years, the second child was 15 years old and the third child was 13 years. The deceased was enticed away by the accused Gopal and they eloped to Punjab, but came back on 27.11.2023 and the main accused Gopal, thereafter, beaten up deceased and sent her back to her husband's home on 03.12.2023. The deceased was harassed and tortured to such an extent by the accused Gopal that she committed suicide.

5. This Court having gone perused the F.I.R. finds a cognizable offence to be made out against the petitioner and there is no good ground to grant the prayer as made in this writ petition.

6. The writ petition stands ***dismissed***.

Order Date :- 18.12.2023

Darpan Sharma