

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9821 of 2023

Petitioner :- Bhupendra Kumar Kori

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

Counsel for Petitioner :- Anurag Mishra, Digvijay Mishra, Paritosh Shukla

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

1. Sri Sukhdeo Singh along with Ms. Anamika Singh has filed his vakalatnama on behalf of opposite party No.4, the same is taken on record.

2. Heard learned counsel for the petitioner, learned A.G.A. for the State-respondents and learned counsel for opposite party No.4.

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

"i. Issue a Writ, order or direction in the nature of Certiorari quashing the impugned FIR dated 20/11/2023 lodged by the Respondent No. 4 bearing FIR No. 300/ 2023, U/Ss. 376 IPC, P.S. - Kurebhar, District- Sultanpur, as contained in Annexure-1 to this Criminal Petition.

ii. Issue a Writ, order or direction in the nature of Mandamus commanding and directing the Respondents Authorities not to arrest the Petitioners on the basis of the impugned FIR dated 20/11/2023 bearing FIR No. 300/ 2023, U/Ss. 376 IPC, P.S. - Kurebhar, District- Sultanpur."

4. It has been submitted by learned counsel for the petitioner that the petitioner and respondent No.4 got married on 14.12.2023 and after marriage, a compromise has occurred between the parties on 18.12.2023, the copy of the compromise has been filed as annexure No.5 to the petition.

5. This petition is disposed of with a direction to the petitioner as well as respondent No.4 to approach the Investigating Officer concerned along with the true compromise on 05.01.2024. He shall take into account the compromise and then

take appropriate decision in the matter till such decision is taken, the petitioner shall not be arrested in pursuance of the impugned F.I.R.

Order Date :- 22.12.2023

Saurabh Yadav/-