

Court No. - 42

Case :- CRIMINAL MISC. WRIT PETITION No. - 22820 of 2024

Petitioner :- Smt Bhawana And Another

Respondent :- State Of Uttar Pradesh And 2 Others

Counsel for Petitioner :- Birendra Kumar Mishra, Byas Kumar Prasad

Counsel for Respondent :- G.A., Raghubir Singh

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioners, learned A.G.A. for the State respondents and Shri Raghubir Singh, learned counsel for the informant.
2. This writ petition has been filed praying to quash the first information report dated 29.11.2024 registered as Case Crime No.0284 of 2024, Under Sections 87 B.N.S., Police Station Shamshabad, District Agra and not to arrest the petitioners pursuant to the said FIR.
3. It is stated in the writ petition that both the petitioners are major and have married with each other out of their own free will and as such no offence under the aforesaid sections is made out.
4. Be that as it may, the writ petition is **disposed off** with a direction to the Investigating Officer to record the statement of petitioner no.1 under Section 180 BNSS and also produce the petitioner no.1 before the concerned Chief Judicial Magistrate for recording her statement under Section 183 BNSS within two weeks from today. In the event, the petitioner no.1 appears before the concerned Chief Judicial Magistrate within stipulated period, the Chief Judicial Magistrate concerned shall record her statement under Section 183 BNSS and thereafter the Investigating Officer shall proceed in accordance with law.
5. For a period of two months, the respondents are restrained to arrest the petitioners pursuant to impugned first information report.

Order Date :- 19.12.2024

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