



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 599 of 2026

Smt. Varsha And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ram Mohan, Vaibhav Singh
Counsel for Respondent(s)	:	G.A., Raju Kanaujia

Court No. - 47

HON'BLE J.J. MUNIR, J.
HON'BLE LAKSHMI KANT SHUKLA, J.

Learned A.G.A. appearing on behalf of the State has produced a case diary today in Court. It is taken on record.

A perusal of the high school certificate relating to the prosecutrix shows that her date of birth recorded in her high school certificate, a photocopy whereof is annexed at page 25 of the paper book, is 20.12.2007. The prosecutrix is, therefore, apparently a major. The FIR in this case was registered on 19.10.2025 but a careful reading of the statement of the prosecutrix under Section 183 B.N.S.S., which is part of the case diary produced before us today, shows that the prosecutrix and the second petitioner have married according to Hindu rites on 22.12.2025 at the Arya Samaj, Prayagraj. On the date, the parties entered into wedlock, both were major. There, the prosecutrix has said that the petitioners are living together as man and wife.

A prima facie case is made out.

Admit.

Issue notice.

Notice on behalf of respondent nos. 1,2&3 is accepted by Mr. Shashi Shekhar Tiwari, learned A.G.A. He is granted two weeks' time to file a counter affidavit.

Steps to serve respondent no. 4 shall be taken by RPAD within a week.

List on **06.05.2026** for orders along with a report regarding status of service. The office shall also put in a report regarding status of affidavits.

Order on Criminal Misc. Stay Application No. 1 of 2026

Issue notice.

Until further orders of this Court, petitioner nos. 1 to 4, namely, Smt. Varsha, Chhotu alias Abhishek Kumar, Omprakash and Chandraprakash shall not be arrested in Case Crime No. 0296 of 2025, under Sections 137(2), 352, 351(3) of B.N.S., Police Station Talgram, District Kannauj.

Let this order be communicated to the Superintendent of Police, Kannauj and the Station House Officer, Police Station Talgram, District Kannauj through the learned Chief Judicial Magistrate, Kannauj by the Registrar (Compliance) by **Tuesday i.e. 21.04.2026**.

(Lakshmi Kant Shukla,J.) (J.J. Munir,J.)

April 17, 2026
Brijesh Maurya