



**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. WRIT PETITION No. - 3598 of 2026**

Gufran And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

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Counsel for Petitioner(s) : Mohammed Shadan, Mohd. Aslam  
Counsel for Respondent(s) : G.A.

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**Court No. - 45**

**HON'BLE RAJIV GUPTA, J.**  
**HON'BLE ACHAL SACHDEV, J.**

1. Heard learned counsel for the petitioners, learned A.G.A. for the State and perused the record.
2. Learned counsel for the petitioners has submitted that the petitioner no.2, out of her own free-will and consent, had gone with petitioner no.1 and had already married him on 04.01.2026 and is now living peacefully with him.
3. Learned counsel for the petitioners has next submitted that there is nothing on record to show that the petitioner no.2 was forcibly taken away by the petitioner no.1 and she has been compelled to marry him and as such, prima facie no offence, complained of, is made out against the petitioner no.1 and the impugned first information report is liable to be quashed.
4. Learned counsel for the petitioners further undertakes to ensure the presence of victim- petitioner no.2 before the Investigating Officer positively within ten days, who shall produce her before the competent Magistrate to get her statement recorded under Section 183 of B.N.S.S. In case, her statement is recorded, the competent Magistrate shall forward the copy of her statement to this Court in a sealed cover by the next date fixed.
5. Learned AGA, on the other hand, has produced the copy of the Case Diary, containing statement of the victim- petitioner no.2 recorded under Section 180 of B.N.S.S., wherein she has candidly stated that she is a major girl aged about 20 years and because of

annoyance with her mother, she had gone to the house of her Aunt (*Bua*), however, when she came to know that the instant F.I.R. has been registered, then she returned back and is now staying with the petitioner no.1.

6. In view thereof, matter requires consideration.

7. Issue notice to the respondent no.4 returnable within three weeks. Steps be taken within a week.

8. Learned AGA may also file counter affidavit within the same period.

9. Rejoinder affidavit, if any, may be filed within one week thereafter.

10. List this case on 18.05.2026.

11. Till then, the petitioners shall not be arrested in pursuance of the impugned F.I.R. dated 25.01.2026 giving rise to Case Crime No. 0053 of 2026, under Section 137(2) of B.N.S., 2023, Police Station Lisari Gate, District Meerut.

**March 17, 2026**

Nadim

**(Achal Sachdev,J.) (Rajiv Gupta,J.)**