



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 3921 of 2026

Abhishekh And 6 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Dileep Kumar Gautam, Kumar
Parikshit, Ritesh Kumar, Umesh
Prakash

Counsel for Respondent(s) : G.A.

Court No. - 45

HON'BLE RAJIV GUPTA, J.

HON'BLE ACHAL SACHDEV, J.

1. Learned counsel for the petitioners is permitted to implead the victim as respondent no.5 during the course of the day.
2. Heard learned counsel for the petitioners, learned A.G.A. for the State and perused the record.
3. Learned counsel for the petitioners has submitted that the newly impleaded respondent no.5- victim is a major girl, aged about 19 years and her date of birth as recorded in the High School Certificate-cum-Marks-Sheet is 10.11.2006.
4. Learned counsel for the petitioners has next submitted that the victim, out of her own free-will and consent, had gone with petitioner no.1 and is now living peacefully with him without any coercion or undue influence.
5. Learned counsel for the petitioners further undertakes to ensure the presence of the victim- respondent no.5 before the Investigating Officer positively within a week, who, on her production, shall record her statement under Section 180 of BNSS and thereafter, shall produce her before the competent Magistrate to get her statement recorded under Section 183 of BNSS. 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.

6. In view thereof, matter requires consideration.

7. Issue notices to the respondent nos.4 and 5 returnable within four 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 24.04.2026.

11. Till then, the petitioners shall not be arrested in pursuance of the impugned F.I.R. dated 09.02.2026 giving rise to Case Crime No. 0028 of 2026, under Sections 137(2), 87 of B.N.S., Police Station Barasathi, District Jaunpur.

February 20, 2026

Nadim

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