

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.148 OF 2015  
(Arising out of S.L.P. (Cr1.) No.1150 of 2013)

Pooja and Another

Appellant(s)

Versus

State of U.P. and Others

Respondent(s)

O R D E R

Leave granted.

The present appeal, by special leave, is directed against the order dated 17<sup>th</sup> January, 2013, in Misc. Bench No.313 of 2013 passed by the Division Bench of the High Court of Judicature at Allahabad, Lucknow Bench, whereby the High Court has declined to quash the F.I.R. relating to Crime Case No.700 of 2012 lodged at the Police Station Rupaidiha, District Bahraich, U.P., instituted against the appellant No.2, under Sections 363 and 366 of Indian Penal Code.

When this matter was listed on the very first occasion, this Court while issuing notice, had directed stay of further investigation in connection with the above-mentioned F.I.R. Thereafter, the matter has been listed on many an occasion. With the efflux of time, we find that Pooja, the appellant No.1, has entered into wedlock with Munni Lal, the appellant No.2. Regard being had to the age of the appellant No.1, a direction was issued that she would be kept at Nari Niketan, Lucknow, U.P. In the meantime, she has attained majority. In our considered opinion, there is no

justification/warrant to continue the investigation and prosecute the appellants, as we perceive, this is a fit case where we think the controversy should be allowed to rest and the appellants should be permitted to live as husband and wife. We say so to avoid all kinds of confusions in future. The appellant No.2, Munni Lal, has undertaken before this Court that he would not mistreat Pooja, the appellant No.1 and give her the affection and respect due to a wife.

In view of the aforesaid, it is directed that the appellants shall go to the Superintendent of Nari Niketan, Lucknow, U.P. with the lady constable, who has brought the appellant No.1 to this Court, and, thereafter, the concerned Superintendent shall complete the formalities and allow the appellant No.1, Pooja, to go with the appellant No.2.

The appeal is, accordingly, allowed and, resultantly, the F.I.R. and consequent investigations are quashed.

.....J.  
[Dipak Misra]

.....J.  
[Abhay Manohar Sapre]

New Delhi  
January 20, 2015.

ITEM NO.6

COURT NO.6

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No.1150/2013

(Arising out of impugned final judgment and order dated 17/01/2013 in WP No. 313/2013 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

POOJA & ANR.

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With appln. (s) for stay and vacating stay/directions and office report)

Date : 20/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s)

Mr. Dushyant Parashar, AOR

For Respondent(s)

Mr. Abhishek Chaudhary, AOR

Mr. Yatish Mohan, Adv.

Mr. E. C. Vidya Sagar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

(Chetan Kumar)

Court Master

(Signed order is placed on the file)

(H.S. Parasher)

Court Master