

Allahabad High Court

Laique & Others vs State Of U.P. & Others on 21 January, 2010

Court No. - 41

Case :- CRIMINAL MISC. WRIT PETITION No. - 895 of 2010

Petitioner :- Laique & Others

Respondent :- State Of U.P. & Others

Petitioner Counsel :- Sharique Ahmed

Respondent Counsel :- Govt. Advocate

Hon'ble Imtiyaz Murtaza,J.

Hon'ble Naheed Ara Moonis,J.

Heard learned counsel for the petitioners and also learned A.G.A. appearing for the State.

We have been taken through the allegations contained in the F.I.R. and the material on record.

Victim petitioner no.2 is present in the court and has been identified by her lawyer. It is submitted by the learned counsel for the petitioners that, petitioner no.2 has married with the petitioner no.1 out of her own free will and both the petitioners are major. Issue notice to respondent no.3 who may file counter affidavit within two weeks. Learned A.G.A. may also file counter affidavit in the meantime. Rejoinder affidavit if any may be filed within one week next thereafter.

List this matter after expiry of the aforesaid period. Till next date of listing, the arrest of the petitioners, namely, Laique, Rinki alias Marruim, Shafique, Khalique, Tulsi, Baby, Shahjhan, Shabbo, Juggan and Shadab alias Saddam who are wanted in Case Crime No.2 of 2010, under Section 363, 366, 506 I.P.C., P.S. Bajaria, District Kanpur Nagar shall remain stayed of course subject to the restraint that the petitioners shall fully cooperate with the investigation and shall appear as and when called upon to assist in the investigation.

Order Date :- 21.1.2010 Mustaqeem.