
(2012) 03 AHC CK 0156
In the Allahabad High Court

Ritu @ Reshma & Others

APPELLANT

Vs

State of U.P.& Others

RESPONDENT

Date of Decision : 29-03-2012

Acts Referred:

Citation : (2012) 03 AHC CK 0156

Hon'ble Judges : Dharnidhar Jha, J and Ramesh Sinha, J

Final Decision : Disposed Of

Judgement

Dharnidhar Jha & Ramesh Sinha, JJ.

Heard learned counsel appearing on behalf of both the sides.

Petitioners Nos. 1 and 2, namely, Smt. Reetu alias Reshma and Deepak are present in Court Room, both of whom have been identified by their counsel Sri Satyendra Narayan Singh.

There is no authentic evidence to satisfy us as to the claim of the victim Smt. Ritu alias Reshma that she was 18 years or above that age on the date of occurrence. The learned counsel appearing on behalf of the petitioners submitted that the petitioner No.1, Smt. Reetu alias Reshma, is desirous of appearing before the police and getting her age determined by a Medical Board within 15 days. We direct her to appear within 15 days from today before the Investigating Officer of Case Crime No.63 of 2012, under Sections 363, 366 I.P.C. registered by Mandawar Police Station of District Bijnaur. The Investigating Officer of the case shall immediately request the Magistrate to record her statement under Section 164 Cr.P.C. and at the same time, request the Chief Medical Officer of Bijnaur to constitute a Board of Doctors for determining the age of petitioner No.1, Smt. Reetu alias Reshma. The Investigating Officer shall forward a copy of the statement of the victim to this Court on or before 9th May, 2012. The Chief Medical Officer shall also forward a copy of the medical report regarding the determination of age of petitioner No.1, Smt. Reetu alias Reshma, to this Court so as to reaching the Court prior to 9th May, 2012, on which date this petition

shall be listed before an appropriate Bench.

So long as the above proceedings are carried out, the petitioner No.1, Smt. Reetu alias Reshma, shall not be arrested by the police in connection with the aforesaid case crime and shall also not be allowed to meet any person so as to get influenced in her decision making.

Let a copy of this order be transmitted to the Magistrate concerned.