2026:AHC:210082-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 1804 of 2025

Mohit Yadav

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pranshu Dwivedi, Ram Prakash Dwivedi
Counsel for Respondent(s)	:	G.A., Virendra Kumar Srivastava

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE JAI KRISHNA UPADHYAY, J.

1. Heard Mr. Abhishek Dwivedi, Advocate, holding brief of Mr. Pranshu Dwivedi, the learned counsel for petitioner, and the learned AGA representing State respondents 1, 2 and 3.

2. Even though the name of Mr. Virendra Kumar Srivastava is published in the cause list as counsel for first informant respondent 4, but neither he nor anyone on his behalf is present to oppose the present writ petition even in revised call. .

3. Perused the record.

4. Petitioner, Mohit Yadav, has approached this Court by means of present criminal misc. writ petition challenging the impugned FIR dated 14.01.2022 lodged by first informant/respondent 4, Smt. Mona Yadav, and registered as Case Crime No. 24 of 2022, under Sections 323, 504, 307, 377, 354, 511 & 498-A I.P.C. and 3/4 D.P. Act, 1961, Police Station Etmadpur, District Agra.

5. Present writ petition came up for admission on 04.02.2025 and this Court passed the following order:-

"1. Heard learned counsel for the petitioner and the learned A.G.A. for the State-respondents.

2. The petitioners, by means of the instant petition filed under Article 226 of the Constitution of India has invoked the jurisdiction of this Court with prayer to quash

the F.I.R. dated 14.01.2022 lodged by respondent no. 4 in case crime No. 24 of 2022, under section 323, 504, 307, 377, 354, 511, 498A I.P.C. and section 3/4 of D.P. Act, Police Station Etmadpur, District Agra. Further prayed not to arrest the petitioners in the aforesaid case crime.

3. It is submitted by learned counsel for the petitioner that during investigation charge-sheet had been prepared against the mother-in-law and father-in-law of the informant. He further submitted that two sister-in-laws (nanad) and brother-in-law (Nandoi) had been exonerated from the charges. He lastly submitted that police report has been prepared against the in-laws under section 323, 504, 498A I.P.C. and section 3/4 D.P. Act. He lastly submitted that still there is ample chance that the dispute may be amicably settled by way of mediation and conciliation, therefore, the matter may be referred to the Mediation and Conciliation Centre of this Court.

4. Issue notice to the respondent no. 4, returnable at an early date. Steps may be taken within a week.

5. Taking into account the statement of learned counsel for the petitioners, it is directed that the petitioners will deposit a sum of Rs.35,000/- within three weeks from today with the Mediation Centre of this Court, out of which Rs.30,000/- shall be paid to respondent no. 4 for her appearance before the Mediation Centre and Rs.5000/- shall go to the Mediation Centre as mediation fee.

6. The matter is remitted to the Mediation Centre with the direction that after deposit of such amount, by the petitioners, it shall issue notice to the parties fixing some date for mediation and shall make all possible efforts to conclude the mediation and conciliation proceedings expeditiously, preferably within a period of two months.

7. List thereafter, before the appropriate Bench along with the report of Mediation Centre.

8. Till the next date of listing, no coercive actions shall be taken against the petitioners in the aforementioned case.

9. It is made clear that in case there occurs default by the petitioners either in depositing the amount or in appearing before the Mediation Centre on the date fixed, the interim order shall cease to operate and the Mediation Centre shall immediately communicate with the office which in turn shall list the case within a week before the appropriate Bench for passing orders in the matter."

4. Pursuant to above order dated 04.02.2025, parties appeared before Mediation and Conciliation Centre, High Court, Allahabad. However, as per the report dated 19.07.2025 submitted by the Mediation and Conciliation Centre, no settlement could be arrived at between the parties.

5.Having heard learned counsel for petitioner, learned AGA for the State, and upon perusal of record, we find that the impugned FIR giving rise to present criminal misc. writ petition was lodged on 14.01.2022. As such, on date, a period of more than 4 years and approximately 9 months have elapsed. A requisite police report in terms of Section 173 (2) Cr.P.C. must have been submitted, and in case a charge sheet would have been submitted, cognizance upon same would also have been taken by the jurisdictional Magistrate.

6. In view of the above, we are, therefore, of the considered opinion that by efflux of time, this writ petition has been rendered infructuous.

7.It is accordingly **dismissed** as having been rendered infructuous.

8.Interim order, if any, shall stand vacated.

October 7, 2026
AKT

(Jai Krishna Upadhyay,J.) (Rajeev Misra,J.)

Digitally signed by :-
ASHOK KUMAR TRIPATHI
High Court of Judicature at Allahabad