HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 1986 of 2025

Mustaque Ahemad

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Avnish Kumar Srivastava
Counsel for Respondent(s)	:	G.A.

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE DR. AJAY KUMAR-II, J.

Heard Mr. Anikit Yadav, Advocate, holding brief of Mr. Avnish Kumar Srivastava, the learned counsel for petitioner and the learned A.G.A. for State/respondents- 1,2, and 3.

Perused the record.

Present writ petition came up for admission on 27.2.2025 and this Court passed the following order-

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

2. The relief sought in this petition is for quashing of the F.I.R. dated 28.07.2013, registered as Case Crime No. 0313 of 2013 under Sections- 409, 420, 467, 468, 471 IPC, Police Station- Jani, District- Meerut. Further prayer has been made not to arrest the petitioner in the aforesaid case.

3. Learned counsel for the petitioner submits that on 13.12.2024, this court has accorded interim protection to a co-accused of the aforesaid case crime in CRIMINAL MISC. WRIT PETITION No. - 22892 of 2024 (Smt. Suman Gautam vs. State Of U.P. And 2 Others) and the petitioner of this writ petition is also entitled to the same interim protection for the reasons mentioned in the said order.

4. Matter requires consideration.

5. Issue notice to the informant-respondent no.4, returnable at an early date. Steps may be taken within two weeks.

5. All the respondents are accorded three weeks time to file counter-affidavit. One week, thereafter, for rejoinder.

6. Connect with CRIMINAL MISC. WRIT PETITION No. - 22892 of 2024.

7. Considering the facts and circumstances of the case, as an interim measure, it is provided that till the next date of listing or till submission of police report u/s 173(2) Cr.P.C. (now Section 193(3) of Bhartiya Nagarik Suraksha Sanhita, 2023), whichever is earlier, respondents are restrained to arrest the petitioner pursuant to the impugned FIR, subject to cooperation in the on-going investigation.

Office has submitted a report dated 16.4.2025, stating that in compliance of above order dated 27.2.2025 learned counsel for petitioner has not taken steps for service upon respondent-4.

In view of above, the writ petition is hereby dismissed.

Interim order, if any, shall stand vacated.

October 27, 2026
Arshad

(Dr. Ajay Kumar-II,J.) (Rajeev Misra,J.)

Digitally signed by :-
ARSHAD MAHMOOD
High Court of Judicature at Allahabad