HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 2298 of 2025

Kishan Rajbhar

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ravindra Prakash Srivastava
Counsel for Respondent(s)	:	G.A.

Court No. - 47

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

1. Heard Mr. Ravindra Prakash Srivastava, the learned counsel for petitioner and the learned A.G.A. for State-respondents 1, 2 and 3.

2. Perused the record.

3. Petitioner-Kishan Rajbhar has approached this Court by means of present Criminal Misc. Writ Petition challenging the FIR dated 09.11.2024 lodged by first informant-respondent-4 Sub Inspector Satish Kumar Singh and registered as Case Crime No. 0865 of 2024, under Sections 3(b)(i) and 3(1) U.P. Gangster and Anti-Social Activities (Prevention) Act, Police Station-Khalilabad, District-Sant Kabir Nagar.

4. Present writ petition came up for admission on 07.02.2025 and this Court passed the following order:-

" 1. Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.

2. Learned counsel for the petitioner has submitted that only on the basis of a solitary case, the impugned first information report under Sections 3(b)(i) and 3(1) of the U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986 has been slapped against the petitioner, as such, the impugned first information report is bad in law and the same is liable to be quashed.

3. Matter requires consideration.

4. Learned AGA may file counter affidavit within three weeks. Rejoinder

affidavit, if any, may also be filed within one week thereafter.

5. List this case on 29.04.2025 before the appropriate Bench.

6. Till then, the petitioner shall not be arrested in pursuance of the impugned F.I.R. dated 09.11.2024 giving rise to Case Crime No. 865 of 2024, under Sections 3(b)(i) and 3(1) of the U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Khalilabad, District Sant Kabir Nagar. "

5. Upon perusal of order sheet, we find that the interim order dated 07.02.2025 was never extended. As such, no interim order is operating in favor of petitioner.

6. At this juncture, we confronted the learned counsel for petitioner as to whether the charge sheet/police report has been submitted by the Investigating Officer or not.

7. Learned counsel for petitioner fairly submits that the petitioner has not contact him since long.

8. Considering the above and also the fact that the impugned FIR in present writ petition was lodged on 09.11.2024 and a period of 1 year and 11 months has expired since then, in all probability, the investigation of concerned case crime number must have been brought to its logical conclusion.

9. We are, therefore, of the considered opinion that by efflux of time, this writ petition has been rendered infructuous.

10. It is, accordingly, **dismissed** as having been rendered infructuous.

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

October 27, 2026
Imtiyaz

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

Digitally signed by :-
IMTIYAZ AHMAD
High Court of Judicature at Allahabad