2026:AHC:207928-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 2488 of 2025

Smt. Ritu Chauhan And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Vijay Kumar Kashyap
Counsel for Respondent(s)	:	G.A., Harish Kumar Tripathi

Court No. - 47

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

1. Case called out in revised list.

2. Even though the name of Mr. Vijay Kumar Kashyap, Advocate is duly published in the cause list as counsel for petitioners but neither he nor any one on his behalf is present to press present writ petition.

3. Learned A.G.A. for State-respondents 1, 2 and 3 is present.

4. Though the name of Mr. Harish Kumar Tripathi, Advocate, is also published in the cause list as counsel for first informant, but neither he nor any one on his behalf is present to oppose present writ petition.

5. Counter affidavit has been filed by first informant respondent-4, however no rejoinder affidavit to the same has been filed.

6. Present writ petition came up for admission on 11.02.2025 and this Court passed the following order:-

"1. Heard learned counsel for the petitioners and learned A.G.A.

2. There is allegation against the petitioner no. 2 of abduction of petitioner no. 1 with intent to marry.

3. Learned counsel for the petitioners submits that petitioners have married each other on their own sweet will. Writ petition is supported by their joint affidavit. They claim themselves to be major. FIR has been lodged on account of ulterior motives.

4. Matter requires consideration.

5. Issue notice to respondent no. 4.

6. Steps be taken within a week.

7. All the respondents may file counter affidavits within period of four weeks. Petitioner may file rejoinder affidavit within two weeks.

8. List this case after six weeks before the appropriate Bench.

9. Till the next date of listing or till cognizance is taken by court on police report submitted under Section 173(2) Cr.P.C., whichever is earlier, the respondents are restrained from arresting the petitioners pursuant to the First Information Report dated 4.12.2023, Case crime no.1043 of 2023 under section 363 I.P.C. P.S. Pipraich District Gorakhpur subject to cooperation in ongoing investigation. "

7. Considering the facts and circumstances of the case, we are of the view that since FIR giving rise to present writ petition was lodged on 04.12.2023, therefore, in all probability, the statutory/requisite police report in terms of Section 173(2) Cr.P.C. must have been submitted. We are, therefore, of the view that by the efflux of time, present writ petition has been rendered infructuous.

8. It is accordingly, **dismissed** as having rendered infructuous.

9. Interim order, if any, stands vacated.

October 5, 2026
Imtiyaz

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

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