2026:AHC:207193-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 2388 of 2025

Anita Devi

.....Petitioner(s)

Versus

State Of U.P. And 9 Other

.....Respondent(s)

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

Court No. - 47

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

1. Case called out in revised list.

2. Even though, name of Mr. Ajendra Kumar is duly published in the cause list as counsel for petitioner but neither he nor any one on his behalf is present to press this writ petition, even in revised call.

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

4. Petitioner-Anita Devi has approached this Court by means of present criminal misc. writ petition for a writ of mandamus commanding respondents to conduct fair and impartial investigation of Case Crime No. 143 of 2024, under Sections 302, 120-B IPC, Police Station-Jalalpur, District-Jaunpur arising out of FIR dated 26.05.2024 lodged by first informant/writ petitioner.

5. Present writ petition came up for admission on 17.04.2025 and this Court passed the following order;-

"1. From the record we find that the First Information Report was lodged under Section 302 read with Section 120B I.P.C. on 26.05.2024.

2. A counter affidavit has been filed showing that investigation in the case was going on and a lady had been charge-sheeted. However, the Court finds that the investigation is absolutely unsatisfactory. In paragraph-11 of the writ petition, it has been specifically stated that the accused who were absconding were giving threats to the petitioner to

face dire consequences if prosecution was not withdrawn.

3. This is a serious matter.

4. Superintendent of Police, Jaunpur may look into the matter and after going through the call detail records etc. of the petitioner submit a definite report with regard to the investigation and also with regard to the fact as to whether petitioner was being harassed by any one of the accused. If the matter relates to any village where telephones are not being used, then proper evidence of the neighbourhood be taken.

5. List this case again on 07.05.2025 as fresh. By that date, Superintendent of Police, Jaunpur, through some responsible officer, shall file a definite affidavit indicating as to what progress has been made in the investigation and also with regard to the investigation of the complaint of the petitioner."

6. Considering the fact that the FIR was lodged by 26.05.2024 and a period of more than 2 years have now expired from the date of lodging of FIR, the 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.

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

October 5, 2026
Vinay

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

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