2026:AHC:207705-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 4977 of 2025

Shokat

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mrityunjay Singh, Samir Mishra
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 the revised list.

2. Even though the names of Mr. Sameer Mishra and Mr. Mritunjay Singh are duly published in the cause list as counsel for the petitioner, but neither they nor anyone on their behalf is present to press the present writ petition, even in revised call. Learned A.G.A. representing State-respondents 1, 2 and 3 is present.

3. Perused the record.

4.Petitioner Shokat has approached this Court by means of present criminal miscellaneous writ petition, challenging the impugned FIR dated 23.05.2024, lodged by first informant, respondent 4, S.I. Pawan Kumar, and registered as Case Crime No. 0236 of 2024, under Sections 3/5A/8 of U.P. Prevention of Cow Slaughter Act and 10, 11 of Animal Cruelty Act, Police Station Jait, District Mathura.

5. Present writ petition came up for admission on 21.04.2025, and this Court passed the following order:-

"1. Heard learned counsel for the petitioner and learned A.G.A. for the State-respondents.
2. This writ petition has been filed for quashing of the First Information Report dated 23.05.2024 giving rise to Case Crime No. 0236 of 2024, under Section 3/5A/8 of U.P. Prevention of Cow Slaughter Act and SEction 10, 11 of Animal Cruelty Act, Police Station - Jait, District - Mathura.
3. Contention of the learned counsel for the petitioner is that the petitioner was not

named in the first information report and only on the mentioning of the name of the petitioner by the brother of the co-accused, investigation vis-a-vis the petitioner was going on.

4. Matter requires consideration.

5. Respondents are represented by learned A.G.A.

6. Respondents may file counter affidavit within a period of three weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

7. List thereafter.

8. Till the next date of listing or till the submission of police report, whichever is earlier, the petitioner shall not be arrested. "

6. No counter affidavit has been filed by the learned A.G.A. in opposition to present writ petition.

7. On the matter being taken up, learned A.G.A. representing State respondents 1, 2 and 3 submits that during pendency of present writ petition, investigating officer, upon completion of statutory investigation of aforesaid mentioned case crime number, in terms of Chapter XIII BNSS, has already forwarded the charge sheet/police report dated 04.05.2025, in terms of Section 193 (3) BNSS. We are of the view that cognizance in terms of Section 210 BNSS must have been taken by the jurisdictional Magistrate/court concerned upon aforesaid mentioned charge sheet. As such, by efflux of time, the present writ petition may have been rendered infructuous.

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

9. Interim order, if any, stands vacated.

October 5, 2026

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

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