2026:AHC:207891-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 5017 of 2025

Anurag Kashyap And 3 Others

.....Petitioner(s)

Versus

State Of Up And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Manish Kumar
Counsel for Respondent(s)	:	Aman Kumar, 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. Manish Kumar is duly published in the cause list as counsel for the petitioners, but neither he nor anyone on his behalf is present to press the present writ petition, even in revised call. Learned A.G.A. representing State respondents 1 and 2 is present. Even though the name of Mr. Aman Kumar is also published in the cause list as counsel for the first informant, respondent no.3, but neither he nor anyone on his behalf is present to oppose the present writ petition, in revised call.

3. Perused the record.

4.Petitioners have approached this Court by means of present criminal miscellaneous writ petition, challenging the impugned FIR dated 04.01.2025, lodged by first informant, respondent 3, S.I. Priti Verma, and registered as Case Crime No. 004 of 2025, under Sections 498-A, 323, 504, 506 I.P.C. and Section 3/4 Dowry Prohibition Act, 1961, Police Station Kotwali, District Kanpur Nagar.

4. Present writ petition came up for admission on 19.03.2025, and this Court passed the following order:-

"1. Heard learned counsel for the petitioners and learned A.G.A. for the State.
2. This writ petition has been filed with the prayer to quash the First Information Report dated 04.01.2025 registered as Case Crime No. 0004 of 2025 U/s 498-A, 323, 504, 506 IPC and Section 3/4 Dowry Prohibition Act. 1961, Police Station Kotwali, District Kanpur Nagar and for a direction to the respondents not to arrest the

petitioners in pursuance of impugned First Information Report.

3. The impugned FIR is challenged on the ground that it arises from a genuine matrimonial dispute. Earlier, petitioner No. 3 lodged a First Information Report on 08.06.2024, which was registered as Case Crime No. 0372 of 2024 under Section 307 I.P.C. at Police Station Chakeri, Commissionerate Kanpur Nagar, against the informant's relatives. As a counterblast to the said proceeding and with an inordinate delay of six months, the present FIR has been lodged, implicating not only the husband but also other family members. Learned counsel for the petitioners, in support of his submissions, has placed reliance on the judgments in Geeta Mehrotra vs. State of U.P. and others, 2012 (10) ADJ 464, and Taramani Parakh vs. State of Madhya Pradesh and others, (2015) 11 SCC 260. It is submitted that the matter be referred to the Mediation Centre of this Court, as there is a strong possibility of resolving the dispute through mediation.

4. In the facts of the present case, we are of the view that an attempt be made to resolve the differences between the parties by way of mediation. It is, therefore, directed that petitioners shall deposit a sum of Rs. 35,000/- within three weeks from today with the Mediation Centre out of which Rs.30,000/- shall be paid to the informant for appearance before the Mediation Centre. The remaining amount shall go to mediation centre towards the expenses of mediation.

5. The matter is remitted to the Mediation Centre with the direction that same may be resolved after giving notices to both the parties.

6. It is directed that Mediation Centre shall make all endeavours to resolve the dispute amicably, expeditiously, preferably within a period of three months.

7. List after three months.

8. Till the next date of listing, no coercive action shall be taken against the petitioners pursuant to the aforesaid First Information Report.

9. It is made clear that in case there occurs default by the petitioners either in depositing the amount or in appearing before the Mediation Centre on the date fixed, the interim order shall cease to operate and the Mediation Centre shall immediately communicate with the office which in turn shall list the case within a week before the appropriate Bench for passing orders in the matter."

5. No counter affidavit has been filed by the learned AGA representing state respondents 1 and 2 nor any counter affidavit has been filed on behalf of first informant respondent 3.

6. On the matter being taken up, learned AGA submits that during pendency of present writ petition, investigating officer upon completion of statutory investigation of above mentioned case crime number in terms of Chapter XIII BNSS/ Chapter XII CrPC has forwarded the police report dated 12.03.2025, whereby petitioner 4 Anirudh Kashyap has been exculpated whereas petitioners 1 to 3 have been charge sheeted.

7.In view of above, we are of the view that cognizance must have been taken

by the jurisdictional magistrate upon aforesaid charge sheet in the interregnum. As a result, according to us, the present writ petition has been rendered infructuous. It is accordingly **dismissed** as having been rendered infructuous.

7.Interim order, if any, shall stand 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