HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 5664 of 2025

Shishupal And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Maohammd Nadeem
Counsel for Respondent(s)	:	G.A.

Court No. - 47

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

1. Case called out in revised list.

2. Even though, the name of Mr. Mohammad Nadeem is duly published in the cause list as counsel for petitioners, but neither he nor anyone on his behalf is present to press the present writ petition, even in revised call.

3. Learned AGA for State-respondents 1 & 2 is present.

4. Petitioners-Shishupal and 3 others have approached this Court by means of present criminal misc. writ petition, challenging the impugned FIR dated 13.11.2024 lodged by first informant-respondent-3 Rajraj Singh and registered as Case Crime No. 330 of 20274, under Sections 147, 420, 427, 467, 468, 471 IPC, Police Station-Talgram, District-Kannauj.

5. Present writ petition came up for admission on on 09.04.2025 and this Court passed the following order:-

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

2. The impugned FIR has been lodged in compliance of order dated 11.09.2024 passed by the Judicial Magistrate, Chhibramau. The petitioners have already preferred Criminal Revision No. 168 of 2024 challenging the part of the order whereby the Court had given liberty to the respondent no. 3 to lodge FIR before the Police. Counsel for the petitioner submits that once the Court did not found any offence to have been committed by the petitioners under Section 340 Cr.P.C. there was no occasion for the court to grant liberty to the informant to lodge separate FIR. FIR has been lodged on account of ulterior motives by respondent no. 3 even after losing from Court.

3. Matter requires consideration.

4. Issue notice to respondent no. 3.

5. Steps be taken within a week.

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

7. List this case after six weeks.

8. Till the next date of listing or 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 13.11.2024, registered as Case Crime No. 330 of 2024, under Sections- 147, 420, 427, 467, 468, 471 IPC, Police Station- Talgram, District- Kannauj, subject to cooperation in ongoing investigation."

6. Office has submitted a report dated 07.10.2025 stating therein that learned counsel for petitioners has not taken steps for service upon first informant-respondent-3.

7. In view of above, the writ petition is, hereby, dismissed.

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

October 27, 2026
Vinay

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

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