2026:AHC:209161-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. WRIT PETITION No. - 9558 of 2025**

Rajesh Kumar Singh

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

| | | |
|---|---|---|
| Counsel for Petitioner(s) | : | Gaurang Kulshreshtha |
| 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 the name of Mr. Gaurang Kulshreshtha is duly published in the cause list as counsel for petitioner, however, neither he nor any one on his behalf is present to press this writ petition even in revised call .

3. Learned A.G.A. representing State/respondents 1, 2 and 3 is present.

4. Perused the record.

5. Petitioner-Rajesh Kumar Singh has approached this Court by means of present Criminal Misc. Writ Petition challenging the impugned F.I.R. dated 18.10.2024 lodged by first informant-respondent-4, Balram Manwani and registered as Case Crime No. 225 of 2024 under Sections 420, 467, 468, 471, 120 IPC, Police Station-Kotwali, District-East (Commissionerate Kanpur Nagar).

6. Present writ petition came up for admission on 13.05.2025 and this court passed the following order:

**"1. Heard learned counsel for the petitioner and learned AGA for State respondents.**

**2. Present writ petition has been preferred for quashing the impugned FIR dated 18.10.2024 being Case Crime No.0225 of 2024 under Section 420, 467, 468, 471, 120-B IPC at P.S. Kotwali, Distt. East (Commissionerate Kanpur Nagar) and for a direction to respondents not to take coercive action against the petitioner pursuant to impugned FIR.**

**3. Learned counsel for the petitioner, at the very outset, has contended that in similar matter, the co-accused has already been accorded indulgence in Criminal Misc. Writ Petition No.23871 of 2024 (Rajiv Kumar Singh and others v. State of**

**U.P. & Ors.) vide order dated 03.01.2025 and as such the petitioner being on similar footing is also entitled for similar indulgence.**

**4. The matter requires consideration.**

**5. Connect and list with Criminal Misc. Writ Petition No.23871 of 2024.**

**6. Learned AGA is accorded four weeks time to file counter affidavit. One week, thereafter, is accorded to file rejoinder affidavit.**

**7. Till the next date of listing, the petitioner shall not be arrested pursuant to impugned FIR, provided he cooperates with the investigation in question. "**

7. Upon perusal of impugned F.I.R., we find that the impugned F.I.R. giving rise to present writ petition was lodged on 18.10.2024. On date, a period of two years is about to expire, therefore, in all probability, Investigating Officer upon completion of statutory investigation in terms of Chapter XII Cr.P.C. must have submitted requisite police report/charge sheet in terms of Section 173 (2) Cr.P.C against petitioner. It is is on account of this reason, the learned counsel for petitioner has not responded even in revised call.

8. In view of above, we are of the considered opinion that by efflux of time, the present writ petition has been rendered infructuous.

9. It is accordingly dismissed as having rendered infructuous.

10. Interim order, if any, granted earlier shall stand vacated.

**October 6, 2026**
YK

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

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