HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 9690 of 2025

Pappu Yadav @ Balvir Singh

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mukesh Joshi
Counsel for Respondent(s)	:	G.A., Ram Pravesh Yadav

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. Mukesh Joshi is duly published as counsel for the petitioner in the cause list, but neither he nor anyone on his behalf is present to press the present writ petition, even in revised call.

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

4. Even though the name of Mr. Ram Pravesh Yadav is also published in the cause list as counsel for the first informant, respondent no.4, but neither he nor anyone on his behalf is present to oppose the present writ petition, even in revised call.

5. Perused the record.

3.Petitioner Pappu Yadav @ Balvir Singh approached this Court by means of present criminal misc. writ petition, challenging the impugned FIR dated 22.04.2025, lodged by first informant, respondent 4, Meera Devi, and registered as Case Crime No. 164 of 2025, under Section 64, 351 (3) B.N.S., Police Station Civil Lines, District Rampur.

4. Present writ petition came up for admission on 14.05.2025, and this Court passed the following order:-

"1. The matter is being taken up in the revised call. None has appeared on behalf of the respondent no.4, although name of Sri Ram Pravesh Yadav, Advocate is shown in the cause list.

2. Heard learned counsel for the petitioner and learned AGA for the State and perused the record.

3. The present writ petition has been preferred with the prayer to quash the impugned First Information Report dated 22.4.2025, registered as Case Crime No. 164 of 2025, under Sections 64, 351(3) of B.N.S. 2023, Police Station- Civil Lines, District- Rampur, and for a direction to the respondents not to arrest the petitioners in pursuance of impugned First Information Report.

4. Submission of learned counsel for the petitioner is that the informant had on an earlier occasion also lodged a First Information Report against one Rajendra Pratap @ Raju for the same allegations, wherein matter was compromised and in that compromise the petitioner was a witness. Learned counsel for the petitioner further submits that for a second time also, the informant had implicated one Sahir with the same allegations. Learned counsel for the petitioner further submits that the respondent no.4 is habitual in making such allegations to extract money from innocent persons.

5. Per contra, learned AGA has opposed the petition but could not dispute the aforesaid facts.

6. Matter requires consideration.

7. Learned AGA has accepted the notice on behalf of respondent no.1, 2, and 3.

8. Though the name of Sri Ram Pravesh Yadav, Advocate has been printed in the cause list but when the case was called out, none had put in appearance even in the revised call, therefore, we are left with no option but to issue notice to the respondent no.4 also. Steps be taken within one week.

9. All the respondents are granted three weeks time to file counter affidavit. The petitioner shall have two weeks thereafter to file rejoinder affidavit.

10. List immediately thereafter.

11. Till the next date of listing or till submission of police report under Section 193(3) B.N.S.S., whichever is earlier, the petitioner herein shall not be arrested in pursuance of the impugned First Information Report dated 22.4.2025, registered as Case Crime No. 164 of 2025, under Sections 64,351(3) of B.N.S., Police Station- Civil Lines, District- Rampur, provided the petitioner cooperate in the investigation. "

5. Upon perusal of record, we find that the impugned F.I.R. giving rise to present criminal writ petition was lodged on 22.04.2025, and a period of more than one year and five months has expired. In all probability, the Investigating Officer upon completion of statutory investigation of aforementioned case crime number must have submitted chargesheet/police report. We are, therefore, of the considered opinion that by efflux of time, present petition has been rendered infructuous.

6. It is accordingly **dismissed** as having rendered infructuous.

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

October 7, 2026
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(Jai Krishna Upadhyay,J.) (Rajeev Misra,J.)

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