2026:AHC:209231-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 9668 of 2025

Saniya And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shahabuddin
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. Shahabuddin is duly published as counsel for the petitioners in the cause list, 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 the State respondents 1 and 2 is present.

3. Perused the record.

4.Petitioners Saniya and three others have approached this Court by means of present criminal misc. writ petition, challenging the impugned FIR dated 30.04.2025, lodged by first informant, respondent 3, Arif, and registered as Case Crime No. 0166 of 2025, under Sections 61(2), 87, 351 (2) of BNS, Police Station Syohara, District Bijnor.

5. Present writ petition came up for admission on 20.05.2025, and this Court passed the following order:-

"Heard learned counsel for the petitioner and learned A.G.A.
There is allegation against the petitioner no. 2 of abduction of petitioner no. 1 with intent to marry.
Learned counsel for the petitioners submits that petitioners have married each other on their own sweet will. They have applied on-line for registration of their marriage. Writ petition is supported by their joint affidavit. FIR has been lodged on account of ulterior motives.
Matter requires consideration.
Issue notice to respondent no. 3.
Steps be taken within a week.

All the respondents may file counter affidavit within period of four weeks. Petitioners may file rejoinder affidavit within two weeks.
List this case after six weeks before the appropriate Bench.
Till the next date of listing or till cognizance is taken by court on police report submitted under Section 193(3) B.N.S., whichever is earlier, the respondents are restrained from arresting the petitioners pursuant to the First Information Report dated 30.4.2025, Case crime no.166 of 2025 under sections 61(2),87,351(2) B.N.S. P.S.Syohara District Bijnor subject to cooperation in ongoing investigation. "

6. Upon perusal of order sheet we find that interim order dated 20.05.2025 was never extended. The impugned FIR giving rise to present criminal miscellaneous writ petition was lodged on 30.04.2025 and a period of one year and five months has expired since the date of the lodging of the FIR. In the interregnum the Investigating Officer must have submitted the police report in terms of section 193 (3) BNSS.

7.We are therefore of the considered opinion that by efflux of time this writ petition has been rendered infructuous and is liable to be dismissed.

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

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

October 6, 2026
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(Jai Krishna Upadhyay,J.) (Rajeev Misra,J.)

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