2026:AHC:209186-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 9650 of 2025

Gauri And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Prasant Rathor, Sanjay Gangwar
Counsel for Respondent(s)	:	C.S.C.

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 names of Mr. Prasant Rathor and Mr. Sanjay Gangwar are duly published as counsel for the petitioners in the cause list, but neither they nor anyone on their behalf is present to press the present writ petition, even in revised call. Learned A.G.A. representing the State respondents 1, 2 and 3 is present.

3. Perused the record.

4.Petitioners Gauri and one another have approached this Court by means of present criminal misc. writ petition, challenging the impugned FIR dated 28.04.2025, lodged by first informant, respondent 4, Ranjeet Singh, and registered as Case Crime No. 0168 of 2025, under Sections 87/351 (2)/352 BNS, Police Station Fatehganj West, District Bareilly.

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

"1. Heard learned counsel for the petitioners and learned A.G.A for the State.
2. Counsel for the petitioners submits that petitioner nos. 1 and 2 have married each other on their own sweet will. They have applied for registration of their marriage online. Writ petition is supported by their joint affidavit. FIR has been lodged on account of ulterior motives.
3. Matter requires consideration.
4. Issue notice to respondent no. 4.
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 193(3) B.N.S.S., whichever is earlier, the respondents are restrained from arresting the petitioners pursuant to the First Information Report dated 28.04.2025 registered as Case Crime No. 0168 of 2025, under Sections- 87/351(2)/352 B.N.S., P.S.- Fatehganj West, District- Bareilly, subject to cooperation in ongoing investigation. "

6. Upon perusal of record we find that the impugned F.I.R. giving rise to present criminal miscellaneous writ petition was lodged on 28.04.2025. As such a period of more than one year and five months has rolled by from the date of the F.I.R. 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.

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