2026:AHC:210503-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 7745 of 2024

Ganesh Shankar Gupta And 5 Others

.....Petitioner(s)

Versus

State Of Up And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Sunita Chauhan
Counsel for Respondent(s) : G.A., Jayant Kumar, Rajesh Pratap Singh

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Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE JAI KRISHNA UPADHYAY, J.

1. Heard Ms. Riya Srivastava, Advocate, holding brief of Mrs. Sunita Chauhan, the learned counsel for petitioners and the learned A.G.A. for State/respondents 1, 2 and 3.

2. Even though the names of Mr. Jayant Kumar and Mr. Rajesh Pratap Singh are duly published in the cause list as the learned counsels representing first informant respondent-4, however neither they nor any one on their behalf is present to oppose this writ petition even in revised call.

3. Perused the record.

4. Petitioners-Ganesh Shankar Gupta And 5 Others have approached this Court by means of present Criminal Misc. Writ Petition challenging the F.I.R. dated 24.04.2024 lodged by first informant/respondent-4, Suman and registered as Case Crime No. 0096 of 2024 under Sections 420, 468, 471 I.P.C., Police Station-Kotwali Kalpi, District-Jalaun.

5. Present writ petition came up for admission on 14.05.2024 and this court passed the following order:

"1. This writ petition has been filed with the prayer to quash the F.I.R. dated 24.04.2024, registered as Case Crime No. 0096 of 2024, under Sections 420 468, 471 I.P.C., Police Station- Kotwali Kalpi, District-Jalaun.

2. The contention of the learned counsel for the petitioners is that the F.I.R. allegations, at best, are in the nature of civil dispute and the initiation of criminal proceeding is nothing but abuse of process of law.

3. Matter requires consideration.

4. Learned A.G.A. accepts notice on behalf of respondent nos. 1, 2 and 3.

5. Issue notice to respondent no. 4. Steps be taken within two weeks.

6. All the respondents are allowed six weeks time to file counter affidavit. Rejoinder, if any, may be filed within two weeks, thereafter.

7. List thereafter.

8. Till the next date of listing, no coercive action shall be taken against the petitioners in the aforesaid case. "

6. On the matter being taken up, learned AGA representing State/respondents-1, 2 and 3 submits that during pendency of present writ petition, Investigating Officer, upon completion of statutory investigation of aforesaid case crime number in terms of Chapter XII Cr. P.C. has already submitted the charge sheet / police report as contemplated under Section 173 (2) Cr.PC.

7. In view of above, the learned counsel for petitioners submits that petitioners do not wish to press this writ petition any further. He, therefore, submits that present writ petition be dismissed as withdrawn.

8. Learned A.G.A. representing State/ respondents 1, 2 and 3 has no objection to the prayer made by the learned counsel for petitioners.

9. In view of above, this writ petition is hereby dismissed as withdrawn.

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

October 6, 2026
Imtiyaz

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

Digitally signed by :-
IMTIYAZ AHMAD
High Court of Judicature at Allahabad