2026:AHC:211773-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 12031 of 2025

Swati Bhargava And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Krishn Kumar, Praveen Shrivastav
Counsel for Respondent(s)	:	G.A., Shashank Shekhar, Sheo Ram Singh

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Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE DR. AJAY KUMAR-II, J.

1. Heard Mr. Anupam Verma, Advocate, holding brief of Mr. Krishn Kumar, the learned counsel for petitioners, the learned A.G.A. for State-respondents 1, 2, 3 & 4 and Mr. Shashank Shekhar, the learned counsel representing respondents 6, 7 & 8.

2. Perused the record.

3. Petitioners-Swati Bhargava and Ajay Bhargava have approached this Court by means of present Criminal Misc. Writ Petition challenging the impugned FIRs dated 13.02.2025 lodged by first informant-respondent-7, Deepak Tripathi and registered as Case Crime Number 0055 of 2025, under Sections 351(3), 111, 316(2), 318(4) BNS, Police Station-Nawabad, District-Jhansi and dated 20.02.2025 lodged by first informant-respondent-8 Aviral Tiwari and registered as Case Crime No. 0073 of 2025, under Sections 351(3), 352, 111(2)(o), 316(5), 318(4) BNS, Police Station-Nawabad, District-Jhansi.

4. Present writ petition came up for admission on 28.07.2025 and this Court passed the following order;-

"1. List has been revised.

2. Heard Sri Anupam Verma, learned advocate holding brief of Sri Krishn Kumar, learned counsel for the petitioners, Sri Amit Kumar, learned advocate appearing for respondent no.5 and learned A.G.A. for

State.

3. Issue notice to respondent nos. 6 to 8.

4. Steps be taken within a week.

5. All the respondents may file counter affidavit within period of four weeks. Petitioner may file rejoinder affidavit within two weeks.

6. Put up this case again as a fresh case on 2nd September, 2025 before appropriate Bench.

7. In the meantime, learned counsel for the petitioners is permitted to implead the informant by the correct name and address in the writ petition during the course of the day."

5. Upon perusal of order sheet, we find that no interim protection was granted by this Court in favour of petitioners.

6. On the matter being taken up, the learned counsel for petitioners fairly submits that upon completion of statutory investigation of aforementioned case crime number in terms of Chapter-XIII BNSS, Investigating Officer has submitted the charge sheet/police report in terms of Section 193(3) BNSS. In all probability, cognizance upon the said charge sheet must have taken by the Jurisdictional Magistrate inasmuch as, a substantial period has expired from the date of FIR. In view of above, we are of the considered opinion that by efflux of time, this writ petition has been rendered infructuous.

7. It is, accordingly, **dismissed** as having rendered infructuous.

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

October 8, 2026
Vinay

(Dr. Ajay Kumar-II,J.) (Rajeev Misra,J.)

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