2026:AHC:211580-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 12158 of 2025

Manoj Kumar @ Manoj Panwar And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Abhitab Kumar Tiwari
Counsel for Respondent(s)	:	G.A.

Court No. - 47

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

1. Case called out in revised list.

2. Even though the name of Mr. Abhitab Kumar Tiwari is duly published in the cause list as counsel for petitioners, however, neither he nor any one on his behalf is present to press this writ petition even in revised call.

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

4. Perused the record.

5. Petitioners-Manoj Kumar @ Manoj Panwar And Another have approached this Court by means of present Criminal Misc. Writ Petitions challenging the impugned F.I.R. dated 28.12.2023 lodged by first informant-4, Indrajeet Singh Salwan and registered as Case Crime No. 477 of 2023 under Sections 420, 406, 504, 506 I.P.C., Police Station-Kotwali Kannauj, District-Kannauj.

6. Present writ petition came up for admission on 10.06.2025 and this court passed the following order:

"The dispute as disclosed in the FIR is about a sale of land for a settled sale consideration, out of which, a part was paid to the petitioner, who was the vendor, by the vendee, who is the informant, but not the sum of money agreed, which had to be another crore by way of advance. The transaction was settled for a total sum of Rs.7.5 crores but the vendor was paid a sum of Rs. 27 lacs alone, and, thereafter, the vendee dragged his feet on the transaction saying that the land was disputed where there were many claimants and some in possession. The dispute is essentially civil in nature with no angle of cheating involved as there was no intention to cheat at the inception, prima facie.

Admit.

Issue notice.

Notice on behalf of respondent nos.1,2 and 3 is accepted by Mr. S.S.Tiwari, learned A.G.A. He is granted three weeks time to file a counter affidavit.
Steps to serve respondent no. 4 shall be taken by RPAD within a week.

List for orders on 16.07.2025 along with a report regarding service and the postal track attached. The office shall also put in a report regarding status of pleadings.

Order on Criminal Misc. Stay Application No. 1 of 2025

Issue notice.

Until further orders of this Court, the petitioners shall not be arrested in Case Crime No.477 of 2023, under Sections 420, 406, 504, 506 I.P.C., Police Station Link Road, District Ghaziabad. However, the investigation will go on and brought to its logical conclusion.

Let this order be communicated to the Commissioner of Police, Ghaziabad and the Station House Officer, Police Station Link Road, District Ghaziabad through the learned Chief Judicial Magistrate, Ghaziabad by the Registrar (Compliance) within 24 hours.

Order Date :- 10.6.2025 "

7. In view of the direction contained in the order dated 10.06.2025 itself, we are of the view that investigation of aforesaid mentioned Case Crime Number must have been brought to its logical conclusion. It is on account of this reason that the learned counsel for petitioners has not responded even in the revised call. 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 8, 2026
YK

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

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