2026:AHC:211726-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 12175 of 2025

Smt Sakshi And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ansar Ahmad, Sandhya Chaturvedi
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 names of Mr. Ansar Ahmad and Mr. Sandhya Chaturvedi are duly published in the cause list as counsel for petitioners, however, neither they nor any one on their behalf is present to press this writ petition even in revised call.

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

4. Perused the record.

5. Petitioners-Smt Sakshi And 3 Others have approached this Court by means of present Criminal Misc. Writ Petitions challenging the impugned F.I.R. dated 23.05.2025 lodged by first informant-3, Udal Singh Shakya and registered as Case Crime No. 98 of 2025 under Section 87 BNS, Police Station-Acchalda, District-Auraiys.

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

"Petitioner Nos. 1 and 2, who are said to be major, have married each other according to Hindu rites on 31.05.2025 at the S.B.S. Samaj Sewa Sansthan, Auraiya. The first petitioner, who is the wife, is apparently a major, and a copy of her high-school certificate is annexed at Page No. 22 of the paper book, where, her date of birth is shown as 10.10.2006. There is a joint affidavit filed in support of this writ petition, affirming the allegations by petitioners Nos. 1 and 2.

The case of the petitioners is that respondent No. 3, who is father of the first petitioner, is averse to the parties' marriage and bent upon separating them forcibly by abuse of process of criminal Court.

A prima facie case is made out.

Admit.

Notice on behalf of respondent Nos. 1 and 2 is accepted by Mr. Deepak Mishra, learned Additional Government Advocate-I. He is granted four weeks' time to file a counter affidavit.

Issue notice to respondent No. 3, returnable on 16.07.2025.

Steps for the purpose shall be taken by R.P.A.D., within a week.

Adjourned to 16.07.2025.

To be taken up in the cause list of the day for orders, along with a report regarding service and the postal track attached. The office shall also put in a report regarding status of pleadings.

Until further orders of this Court, the petitioners shall not be arrested in Case Crime No. 52 of 2025, under Sections 85, 115(2), 352 of the Bhartiya Nyaya Sanhita, 2023 and Section 3/4 of the Dowry Prohibition Act, 1961, Police Station Bahariya, Prayagraj, but investigation may go on and brought to its logical conclusion, wherein the petitioners shall cooperate.

In case, the requisites are not deposited as directed, the interim order granted above shall automatically stand vacated.

The Registrar (Compliance) is directed to communicate this order to the Commissioner of Police, Commissionerate, Prayagraj (Gangapar) and the Station House Officer, Police Station Bahariya, Prayagraj, both through the learned Chief Judicial Magistrate, Allahabad within 72 hours next.

Order Date :- 10.6.2025 "

7. Upon perusal of record, we find that the interim order dated 10.6.2025 was never extended. However, in view of the direction contained in the order dated 10.6.2025, the investigation of aforementioned Case Crime Number must have been brought to its logical conclusion. Therefore, we are prima facie of the view 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