HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 15357 of 2025

Smt. Sarita Mourya And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohd. Irfan, Vinod Singh
Counsel for Respondent(s)	:	Asif Akhtar, Deepankar Shukla, G.A., Jalaj Kumar Tripathi, Pradeep Kumar Mishra, Tanzeel Ahmad

Court No. - 47

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

1. Case is called out in revised list.

2. Even though the names of Mr. Mohd. Irfan and Vinod Singh are duly published in the cause list as counsel for petitioners, however, neither they nor anyone on their behalf is present to press the present writ petition, even in revised call.

3. Learned A.G.A. representing State/respondents 1, 2 and 3 and Mr. Pradeep Kumar Mishra, the learned counsel representing first informant-respondent 4, are present.

4. Perused the record.

5. Petitioners- Smt Sarita and three others have approached this Court by means of present Criminal Misc. Writ Petition challenging the FIR dated 08.07.2025 lodged by first informant/ respondent-4 Devendra and registered as Case Crime No. 276 of 2025, under Sections 137(2) and 87 BNS, Police Station Milak, District Rampur.

6. Present writ petition came up for admission on 21.07.2025 and this court passed the following order:

" 1. Supplementary Affidavit filed today be kept on record.

2. Present writ petition has been preferred for quashing the First Information Report dated 08.07.2025 registered as Case Crime No. 276 of 2025, under Sections 137(2) and 87 of the BNS, Police Station Milak, District Rampur so far as it relates

to the petitioners.

3.Contention of learned counsel for the petitioners is that the petitioner No. 1 is an adult and that she had married the petitioner No. 2 out of their own free volition. Further, it has been submitted that wrongly, in the FIR the age of the petitioner No. 1 had been given out of 16 years. Learned AGA and the learned counsel appearing for the respondent No. 4, Sri Jalaj Kumar Tripathi, prayed that the statement of the petitioner No. 1 be recorded if it had not already been recorded and also her age be determined by the method of ossification.

4. List this case as a fresh case on 05.08.2025 before the appropriate court.

5. By that date, the statement of the petitioner No. 1 be recorded if it has already not been recorded, and also her age be determined by the method of ossification.

6. The investigating officer will facilitate recording a statement for the ascertainment of age.

7. Till then no coercive action shall be taken against the petitioners."

7. Upon perusal of order sheet, we find that interim order dated 21.07.2025 was extended vide order dated 05.08.2025, thereafter the interim order dated 25.08.2025 was never extended. As such, no interim order is operating in favour of petitioners in present writ petition.

8. Considering the fact that the impugned FIR was lodged on 08.07.2025 and a period of more than one year and 3 months has expired since then, in all probability, the investigation of concerned case crime must have been brought to its logical conclusion.

9. In view of above, we are of the opinion that by efflux of time the present writ petition has been rendered infructuous.

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

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

October 27, 2026
Monika

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

Digitally signed by :-
MONIKA KESARWANI
High Court of Judicature at Allahabad