2026:AHC:207870-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 16244 of 2025

Aanchal Maurya

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Saurabh Pandey
Counsel for Respondent(s)	:	G.A.

Court No. - 47

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

1. Case called out in revised list.

2. Even though the name of Mr. Saurabh Pandey is duly published in the cause list as counsel for petitioner, 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 and 2 is present.

4. Petitioner-Aanchal Maurya has approached this Court by means of present Criminal Misc. Writ Petition challenging the F.I.R. dated 19.07.2025 lodged by first informant/respondent-3, Ram Swaroop Verma and registered as Case Crime No. 141 of 2025 under Section 3 (1) of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station-Ghorawal, District-Sonbhadra.

5. Present writ petition came up for admission on 12.08.2025 and this court passed the following order:

"1. This writ petition has been filed for quashing of the First Information Report dated 19.7.2025 giving rise to Case Crime No. 0141 of 2025 under Section 3(1) of U.P. Gangster and Anti-Social Activities(Prevention) Act, 1986, Police Station Ghorawal, District Sonbhadra. The petitioner has also prayed that he be not arrested in pursuance of the impugned FIR

2. Contention of learned counsel for the petitioner is that on the basis of single case, in which the petitioner has already been granted anticipatory bail, the Gangster Act has been imposed. Learned counsel for the petitioner also submits that there was no joint meeting and due deliberation before preparing the gang chart and before lodging of the impugned FIR. Learned counsel for the petitioner, therefore,

submits that there was complete violation of Rules 5(3)(a), 16 and 17 of the U.P. Gangster and Anti-Social Activities (Prevention) Rules, 2021.

3. Matter requires consideration.

4. Learned AGA appearing for the respondents may file counter affidavit within a period of three weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

5. List thereafter.

6. Till the next date of listing or till the submission of police report, whichever is earlier, the petitioner shall not be arrested in the aforesaid case.

Order Date :- 12.8.2025 "

6. On the matter being taken up, the learned A.G.A. representing State-respondents 1 and 2 submits that during pendency of present writ petition, Investigating Officer upon completion of statutory investigation of aforementioned case crime number in terms of Chapter XII Cr.P.C. has submitted requisite police report/charge sheet dated 13.10.2025 in terms of Section 173 (2) Cr.P.C.. Upon submission of aforesaid charge sheet, cognizance has also been taken by concerned Magistrate/Court. Resultantly, petitioner has approached this Court by means of an application under Section 528 BNSS.

7. Having heard the learned A.G.A. representing State/respondents 1, 2 and 3, considering the objections raised by the learned A.G.A. in opposition to present writ petition as noted herein above, and upon perusal of record, we find that in view of the objections raised by the learned A.G.A. and also the law laid down by Supreme Court in **Pradnya Pranjal Kulkarni Vs. State of Maharashtra and another 2025 SCC OnLine SC 1948,** no cause of action now survives with petitioner to maintain the present writ petition.

8. As a result, present writ petition fails and is liable to be dismissed as infructuous

9. It is accordingly dismissed as having rendered infructuous.

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

October 5, 2026
YK

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

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