2026:AHC:209177-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 17200 of 2025

Narayan Singh Bhadauriya

.....Petitioner(s)

Versus

State of U.P. and 2 others

.....Respondent(s)

Along with :

1. **Criminal Misc. Writ Petition No. 14327 of 2025:**
   Ajmeri Siddiqi @ Mohd. Aleem Siddiqi
   Versus
   State of U.P. and 3 others
2. **Criminal Misc. Writ Petition No. 14352 of 2025:**
   Ram Pratap and another
   Versus
   State of U.P. and 3 others

Counsel for Petitioner(s) : Pawan Kumar Srivastava, Shashank Tripathi, Sr. Advocate

Counsel for Respondent(s) : G.A., Mohd. Samiuzzaman Khan, Ramanand Gupta

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Court No. - 47

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

1. Case is called out in revised list.

2. Even though the names of Mr. Pawan Kumar Srivastava and Mr. Shashank Tripathi, Advocates 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 petitions, even in revised call.

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

4. Even though the names of Mr. Mohd. Samiuzzaman Khan and Mr. Ramanand Gupta are duly published in the cause list as counsel for first informant respondent-3, however neither they nor any one on their behalf is present to oppose these writ petitions .

5. Perused the record.

6. Petitioners have approached this Court by means of present criminal misc. writ petition challenging the FIR dated 09.11.2024 lodged by first informant/ respondent-3, Sri Kasim Raza and registered as Case Crime No. 205 of 2025 under Sections 147, 420, 467, 468, 471, 323, 504, 506, 384, 342 and 120-B of I.P.C., Police Station-Naubasta, District-Kanpur Nagar.

7. Present writ petition came up for admission on 07.08.2025 and this Court passed the following order:

" 1. Heard learned counsel for the petitioner and learned A.G.A. for the State-respondents.

2. This writ petition has been filed for quashing of the First Information Report dated 21.5.2025 giving rise to Case Crime No. 205 of 2025, under Sections 147, 420, 467, 468, 471, 323, 504, 506, 384, 342, 120-B of I.P.C., Police Station - Naubasta, District - Kanpur Nagar.

3. Contention of learned counsel for the petitioner is that the petitioner is not named in the first information report. However, when investigation vis-a-vis Case Crime No. 205 of 2025 was being done and in that the petitioner was also being included then the instant writ petition was filed. Learned counsel for the petitioner further submits that the co-accused persons namely Ram Pratap and Rahul Singh have been granted relief by this Court on 28.7.2025 in Criminal Misc. Writ Petition No. 14352 of 2025 (Ram Pratap And Anr. vs. State of U.P. And 3 Ors.).

4. Matter requires consideration.

5. Respondents no. 1 and 2 are represented by learned A.G.A. Issue notice to respondent no. 3.

6. Respondents may file their counter affidavits within a period of three weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

7. Connect this petition with Criminal Misc. Writ Petition No.14352 of 2025 and list on the date fixed.

8. Till the next date of listing or till the submission of police report, whichever is earlier, the petitioner shall not be arrested."

8. On the matter being taken up, learned AGA representing State/respondents-1 and 2 submits that during pendency of present writ petitions, Investigating Officer, upon completion of statutory investigation of aforesaid case crime number in terms of Chapter XIII BNSS has submitted the charge sheet / police report dated 27.08.2025 as contemplated under

Section 193(3) BNSS.

9. Since a period of more than one year has expired from the date of submission of the charge sheet, the jurisdictional Magistrate must have taken cognizance upon same in exercise of jurisdiction under Section 190(1)(b) Cr.P.C. We are therefore of the considered opinion that by efflux of time, these writ petitions have been rendered infructuous

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

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

October 5, 2026
Imtiyaz

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

Digitally signed by :-
IMTIYAZ AHMAD
High Court of Judicature at Allahabad