2026:AHC:212396-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 25177 of 2025

Saurabh Chaudhary And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashish Srivastava, Mishra Vikas Kumar Prabhunath
Counsel for Respondent(s)	:	Bed Prakash Rai, 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. Ashish Srivastava and Mr. Mishra Vikas Kumar Prabhunath are duly published in the cause list as counsel for petitioners but neither they nor anyone on their behalf is present to press the present writ petition even in the revised call.

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

4. Although the name of Mr. Bed Prakash Rai is duly published in the cause list as counsel for respondent-4 but neither he nor anyone on his behalf is present to press the present writ petition even in revised call.

5. Petitioners Saurabh and four others have approached this Court by means of present Criminal Misc. Writ Petition, challenging the impugned FIR dated 10.03.2022, lodged by first informant, respondent 4, Sri Shashank Chaudhary and registered as Case Crime No. 0077 of 2022, under Sections 420, 467, 468, 471 IPC, Police Station Civil Lines, District Meerut.

6. The present writ petition came up for admission on 12.10.12.10.2025, this Court passed the following order:

1. The instant writ petition has been filed with the following main reliefs:-

"i. To issue a writ, order or direction in the nature of certiorari quashing the First Information Report dated 10.03.2022 in Crime No. 0077 of 2022, under sections 420, 467, 468, 471, I.P.C., P.S. Civil Lines, District Meerut.

ii. To issue a writ, order or direction in the nature of mandamus directing the respondents not to arrest the petitioner in Case Crime No. 0077 of 2022, under Sections 420, 467, 468, 471 I.P.C., P.S. Civil Lines, District Meerut."

2. Heard learned counsel appearing on behalf of the petitioners, perused the contents made in the writ petition and documents on record.

3. Taking into consideration the submissions and contents made in the writ petition, we are of the view that matter requires consideration.

4. Issue notice to respondent no.4 through S.H.O. concerned, returnable at an early date.

5. Appropriate steps be taken within a week.

6. Learned AGA appearing on behalf of State-respondents is directed to take instructions.

7. List this case on 06.02.2026, as fresh.

8. Till the next date of listing, petitioners shall not be arrested in respect of aforesaid case crime number subject to co-operation with the investigation."

7. On account of above, no counter affidavit has been filed with by the learned A.G.A. or by the first informant.

8. Upon perusal of impugned F.I.R., we find that the impugned F.I.R. giving rise to present writ petition was lodged on 10.03.2022. On date, a period of more than four years has expired, therefore, in all probability, Investigating Officer upon completion of statutory investigation in terms of Chapter XII Cr.P.C. must have submitted requisite police report/charge sheet in terms of Section 173 (2) Cr.P.C against petitioners. It is is on account of this reason that learned counsel for petitioners have not responded even in revised call.

9. In view of above, we are of the considered 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, granted earlier shall stand vacated.

October 9, 2026
Monika

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

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