2026:AHC:212517-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. WRIT PETITION No. - 6234 of 2025**

Gyan Devi

.....Petitioner(s)

Versus

State Of Up And 2 Others

.....Respondent(s)

| | | |
|---|---|---|
| Counsel for Petitioner(s) | : | Anil Kumar |
| Counsel for Respondent(s) | : | G.A. |

**Court No. - 47**

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

1. Heard Mr. Anil Kumar, the learned counsel for petitioner and learned AGA representing the State-respondent 1 and 2.

2. Perused the record.

3. Petitioner Gyan Devi has approached this Court by means of present Criminal Miscellaneous Writ Petition, challenging the impugned FIR dated 29.11.2024, lodged by first informant/respondent-3, Jalaj Kumar, Lekhpal and registered as Case Crime No. 321 of 2024 under Sections 420, 467, 468, 471, 120 IPC, Police Station-Aliganj, District-Etah.

4. Present writ petition came up for admission on 05.04.2025 and this Court passed the following order:

***"1. Heard Shri Anil Kumar, learned counsel for the petitioner and Shri G.P. Singh, learned AGA for the State respondents.***

***2. The relief sought in this petition is for quashing of the F.I.R. dated 29.11.2024, registered as case crime no.321 of 2024, under sections 420, 467, 468, 471 IPC, P.S. Aliganj, District Etah. Further prayer has been made not to arrest the petitioners in the aforesaid case.***

***3. Learned counsel for the petitioner submits that the petitioner is 81 years old and infirm lady, the dispute is of Scheduled Caste Certificate Category. On 04.03.2025, one Atar Singh executed a sale-deed in favour of Sadhana Devi first wife of Netrapal, who died on 11.09.2021, however, the FIR has been lodged against the petitioner, Gyan Devi, who is second wife of Netrapal. The husband of the petitioner, Netrapal has already filed a revision before the Principal Secretary***

***Social Welfare U.P., Lucknow, thereafter, he has filed a writ petition bearing Writ-C No.10659 of 2024 before this Court, which was disposed of by learned Single Judge vide order dated 11.12.2024 directing the revisional authority to decide the said revision expeditiously within a fixed period. He further submits that on one hand the revision is pending consideration on the other hand the FIR has been lodged. The allegations levelled against the petitioner are false and no offence is made out against him. Even though the proceedings are pending and neither the charge-sheet nor the final report has been submitted in the present case.***

***4. The matter requires consideration.***

***5. Learned AGA has accepted notice on behalf of State-respondent nos.1 and 2. Issue notice to respondent no.3.. returnable at an early date. Steps may be taken within a week.***

***6. All the respondents are accorded three weeks time to file counter-affidavit. The petitioner will have one week thereafter to file rejoinder affidavit. List immediately thereafter.***

***7. Till the next date of listing or till submission of the police report under Section 193 (3) of Bhartiya Nagrika Suraksha Sanhita, 2023, whichever is earlier, the respondents are restrained to arrest the petitioner pursuant to the impugned F.I.R. subject to cooperation in the on-going investigation.***

***Order Date :- 5.4.2025 "***

5. Aforesaid interim order dated 05.04.2025 was extended subsequently by order dated 20.05.2025. However, there is nothing on record to show that aforesaid interim order was extended thereafter. As such, on date, no interim order is operating in present writ petition.

6. Considering the fact that the FIR impugned in present writ petition was lodged on 29.11.2024 and a period of more than 1 year and 10 months having expired from the date of the lodging of FIR, coupled with the fact that there is no interim order operating in present writ petition, we are of the view that by efflux of time, this writ petition has been rendered infructuous.

7. It is accordingly dismissed as having rendered infructuous.

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

**October 9, 2026**
YK

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

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