



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 1126 of 2026

Sagar

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dinesh Kumar, Dinesh Kumar Tripathi
Counsel for Respondent(s)	:	G.A.

Court No. - 47

HON'BLE J.J. MUNIR, J.

HON'BLE TARUN SAXENA, J.

This is the third adjournment in this case. No doubt, the prayer is one by the petitioner for quashing the F.I.R. in a case, where his nephew has eloped with a minor girl. The grievance of the petitioner is that he has nothing to do with the elopement, whatever offence is involved, and yet the police is after his life.

Since the victim has not been traced out as yet, the successive concern shown by three different Benches of this Court, one being that of ourselves, has been to secure the recovery of the victim. The Police have utterly failed to do that and are successively seeking time on a prayer made through the learned Additional Government Advocate.

In the present time, it is not difficult to trace out a victim, particularly, one who is not one, not heard of since a long period of time. In this case, the victim went missing on 21.08.2025. The device of seeking repeated adjournments on the promise that the victim would be traced out, to our mind is a way to buy time and do Bench hunting. Once the roster changes, everything has to start from scratch because in a case like the present one, where the Court is monitoring the investigation one of the most essential stages is the recovery of the victim.

Whenever this petition has come up, though the prayer is one for quashing the F.I.R. by the petitioner saying that he is not involved in the matter, which concerns his nephew, but it has been our priority to have

the victim recovered. The reason is, that a person who goes missing is immediately in the peril of losing his/her life. It is the anxiety of the Court, as it should be of the State, to see that no citizen loses his/ her life by inaction of the Authorities. In our opinion, the Police should be thinking about recovering the victim and directing their energies for that purpose, instead of engaging with the Court and attempting to wriggle out of our processes.

Let the Commissioner of Police, Ghaziabad file his own affidavit in the matter **within a week**, failing which we will be compelled to summon him in person. Of course, that would be so if the victim still remains untraceable by the time.

Lay as **fresh** on **12.05.2026**.

To be taken up at **2:00 p.m.**

The Investigation Officer, who is present in Court today, shall again appear on the next date fixed.

Let this order be communicated to the Commissioner of Police, Ghaziabad through the learned Chief Judicial Magistrate, Ghaziabad by the Registrar (Compliance) **within 24 hours**.

(Tarun Saxena, J.) (J.J. Munir, J.)

May 4, 2026

AS/Deepak