

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 1121 of 2025

Indian Poker Association (IPA), Ranchi Chapter, having its registered office at G003, Sri Ashram View Enclave, 15/3 K.S. Garden Ulsoor, P.O. & P.S.- Ulsoor, District- Bangalore, Karnataka through its In-Charge, Ranchi Chapter namely Divyank Prasoon @ Divyank Gupta son of Sanjay Kumar Gupta, resident of Nawagarh House, Ratu Road, Behind Hehal Post Office, P.O.- Hehal, P.S.- Sukhdeonagar, District- Ranchi Petitioner

Versus

1. The State of Jharkhand through the Principal Secretary, Department of Home, Government of Jharkhand, Ranchi
2. The Director General of Police, Jharkhand, Ranchi
3. The Inspector General of Police (Headquarters), Ranchi
4. The Senior Superintendent of Police, Ranchi
5. The Deputy Commissioner, Ranchi
6. The Sub-Divisional Magistrate, Ranchi

.... .. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : M/s. Amritansh Vats, Arpan M. Ekka & Ashish Choudhary, Advocates

For the Respondents : Md. Shahabuddin, S.C.-VII
Mr. Anuj Kumar Trivedi, A.C. to S.C.-VII

Order No. 04

Dated: 07.04.2025

The present writ petition has been filed for issuance of direction upon the concerned respondents not to restrain the petitioner from conducting the game of poker in Ranchi as, according to it, the same is neither covered under the definition of "gaming" nor "gambling" as per the Public Gambling Act, 1867 as well as to issue "No Objection Certificate" to it for conducting the said game.

2. Learned counsel for the petitioner submits that the petitioner-association is a society registered under the Karnataka Societies Registration Act, 1960 and has set up the "Ranchi Chapter of the Indian Poker Association" at Ranchi, which is

engaged in promoting sports and recreational activities such as organizing and conducting various indoor games and tournaments of game of poker including various other skilled games viz. rummy and bridge.

3. It is further submitted that the game of poker is a skilled game like rummy & bridge and therefore, there is no requirement of permission or "No Objection Certificate (NOC)" from any authority to conduct such game.

4. It is also submitted that though the petitioner was earlier granted permission to organize the game of poker at a hotel i.e., "Holiday Home", Kanke Road, Ranchi vide letter no. 4023 dated 03.08.2018 issued by the Inspector General of Police (Headquarters), Ranchi (the respondent no. 3) to the Senior Superintendent of Police, Ranchi (the respondent no. 4), yet, a raid was conducted by the Sub-Divisional Officer, Ranchi (the respondent no. 6) in which all the organizers were detained at Gonda police Station without registering any F.I.R. and were released on executing bond after the letter of permission issued by the respondent no. 3 was shown by the petitioner. After the said incident, all the games card, plastic coins, materials and other equipments of the organizing team were illegally seized by the district authority without lodging any complaint and the said hotel was also sealed without any reason due to which the petitioner had to suffer a huge financial loss.

5. Learned counsel for the petitioner further submits that the petitioner-association came to know that various recreational

clubs in Ranchi, i.e., 'Ranchi Club' & 'Ranchi Gymkhana Club' have been conducting the game of poker, however no action is being taken against the said clubs.

6. It is also submitted that the Ministry of Youth Affairs and Sports, Department of Sports, Government of India, New Delhi, vide letter dated 12.04.2016 informed the President of Indian Poker Association that NOC from the Ministry is not required for organizing the sporting event/skill card game in India in which foreign players are not involved, however clearance from the concerned local authorities, if any, may have to be obtained. Several State Governments including the State of Karnataka as well as the State of Jharkhand had earlier issued NOC for conducting the game of poker.

7. Learned counsel for the petitioner refers to the judgement rendered by the Hon'ble Supreme Court in the case of **State of Andhra Pradesh Vs. K. Satyanarayana and Ors.** reported in **1967 SCC Online SC 333** equivalent to **AIR 1968 SC 825** as well as the judgement dated 08.10.2013 rendered by the High Court of Karnataka in Writ Petition Nos. 39167 to 39169 of 2013 (GM-POLICE) [Indian Poker Association (IPA) Vs. The State of Karnataka & Ors.] and submits that the Hon'ble Courts have held that there is no legal impediment in conducting the games which involve skill.

8. The representative of the petitioner-association, vide letter dated 13.12.2024, has requested the Director General of Police, Jharkhand, Ranchi (the respondent no. 2) to issue NOC permitting

him to organize the game of poker at Ranchi, however the same has remained unresponded, which has compelled the petitioner to prefer the present writ petition.

9. Md. Shahabuddin, learned S.C.-VII appearing on behalf of the respondents, submits that though there is no such need of permission/NOC from the local/district authorities for conducting the game involving skill in Ranchi, yet keeping in view the letter dated 12.04.2016 issued by the Ministry of Youth Affairs and Sports, Department of Sports, Government of India, New Delhi addressed to the President of Indian Poker Association, the petitioner may represent the Deputy Commissioner, Ranchi (the respondent no. 5) seeking clearance/NOC to organize the said game on which an appropriate step/decision will be taken by the said respondent within a time frame.

10. Having heard learned counsel for the parties and considering the issue raised in the writ petition as well as keeping in view the letter dated 12.04.2016 issued by the Ministry of Youth Affairs and Sports, Department of Sports, Government of India, New Delhi addressed to the President of Indian Poker Association, the petitioner is given liberty to prefer a fresh representation before the respondent no. 5 seeking clearance/NOC to organize the game of poker in Ranchi. On receipt of the said representation, the respondent no. 5, after providing an opportunity of hearing to the representative of the petitioner, shall take an appropriate step/decision within six weeks keeping in view the ratio laid down by the Hon'ble Supreme Court

in the case of **K. Satyanarayana (supra)**, the judgment rendered by the High Court of Karnataka in Writ Petition Nos. 39167 to 39169 of 2013 as well as letter no. 4023 dated 03.08.2018 issued by the respondent no. 3 to the respondent no. 4 by which permission for organizing the game of poker in Ranchi was earlier granted to the petitioner.

11. The writ petition is accordingly disposed of with the aforesaid liberty and direction.

Ritesh/

(Rajesh Shankar, J.)