



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 4819 of 2026

Arif

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Ashok Kumar Yadav
Counsel for Respondent(s)	: G.A.

Court No. - 47

HON'BLE J.J. MUNIR, J.
HON'BLE ACHAL SACHDEV, J.

(Order on the memo of Writ Petition)

A perusal of the gang-chart, on the basis of which, the impugned First Information Report ('FIR' for short) has been registered, shows that prima facie, there was no joint meeting of the District Magistrate, Jhansi and the Senior Superintendent of Police, Jhansi. It is true that both the officers have approved the gang-chart on the same day, but the remarks of the District Magistrate do not show that the two officers sat together in a joint meeting. This is in violation of Rule 5(3)(a) of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Rules, 2021. It is mandatory that the aforesaid joint meeting be held before a gang-chart is approved and an FIR registered, in view of the Bench decision of this Court in **Sanni Mishra @ Sanjayan Kumar Mishra v. State of U.P. and others, 2024 (1) ADJ 231 DB**, which has been approved by the Supreme Court in **Vinod Bihari Lal v. State of Uttar Pradesh and another, 2025 SCC OnLine SC 1216**.

A prima facie case is made out.

Admit.

Notice on behalf of respondent nos. 1 and 2 is accepted by Mr. Shashi Shekhar Tiwari, learned Additional Government Advocate. He is granted two weeks' time to file a counter affidavit.

Issue notice to respondent no. 3, returnable on 22.04.2026.

Steps for the purpose shall be taken by R.P.A.D. within three working days next.

Adjourned to 22.04.2026.

To be taken up in the cause list of the day for orders, along with a report regarding service and the postal track attached. The office shall also put in a report regarding status of affidavits.

(Order on Criminal Misc. Stay Application No. 1 of 2026)

Issue notice.

Until further orders of this Court, the petitioner, to wit, Arif shall not be arrested in Case Crime No. 1 of 2026, under Section 2, 3(1) of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Tahrauli, District- Jhansi.

The **Registrar (Compliance)** is directed to communicate this order to the Senior Superintendent of Police, Jhansi and the Station House Officer, Police Station Tahrauli, District- Jhansi, both through the learned Chief Judicial Magistrate, Jhansi within 48 hours next.

April 6, 2026

KS

(Achal Sachdev,J.) (J.J. Munir,J.)