

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18532 of 2023

Petitioner :- Ravindra Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Narendra Deo Shukla, Vivek Shukla

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

Heard learned counsel for the petitioner and learned A.G.A. for the State-respondents.

The petition seeks quashing of the F.I.R. dated 14.10.2023 giving rise to Case Crime No. 308 of 2023, u/s 3(1) U.P. Gangsters and Anti Social Activities (Prevention) Act, Police Station Alinagar, District Chandauli.

It is contended by learned counsel for the petitioner that the provision, contained in U.P. Gangsters and Anti Social Activities (Prevention) Rules, has not been complied with inasmuch as it does not emerge from the perusal of the gang chart that the same has been approved by the District Magistrate after due application of mind as mandatorily required.

Learned A.G.A. is directed to file counter affidavit within three weeks. Petitioner will have two weeks thereafter to file rejoinder affidavit.

List thereafter.

Till the next date of listing or till submission of police report u/s 173(2) Cr.P.C., whichever is earlier, the petitioner shall not be arrested consequent to the impugned F.I.R.

Order Date :- 29.11.2023

Vandana