



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47867 of 2025

Amit Prakash Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Anurag Yadav
Counsel for Opposite Party(s) : G.A.

Court No. - 81

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard Sri Rahul Yadav, Advocate holding brief of Sri Anurag Yadav, learned counsel for the applicant and Sri Mohd. Afzal, learned counsel appearing for the State of U.P.
2. Present application under Section 528 B.N.S.S. has been preferred for quashing the entire proceedings of Criminal Misc. Case No.215 of 2025 (State vs. Amit Prakash Singh), arising out of Case Crime No. 180 of 2024, under Section 3(1) of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, Police Station Kotwali Dehat, District Mirzapur, pending in the court of Additional Sessions Judge/FTC First/Gangster Act, Mirzapur, as well as Chargesheet dated 22.01.2025 and summoning/cognizance order dated 16.06.2025 issued in the aforesaid proceedings.
3. It is submitted by the learned counsel for the applicant that the gang-chart was prepared against the violation of U.P. Gangster and Anti Social Activities (Prevention) Rules, 2021 (hereinafter referred to as the 'Rules, 2021). The provisions of mandatory rules 6(1), 8(3), 12(2), 16, 18, 19(1) and 25(2) of the Rules, 2021 has not been followed by the authorities at the time of preparation of gang-chart. It is further submitted that criminal history of the applicant as well as its dozier have not been appended alongwith the gang-chart. Therefore, it is submitted that the proceedings against the applicant arising out of chargesheet dated 22.01.2025 be quashed by this Court.

4. Per contra, learned counsel appearing for the State has vehemently opposed the prayer and stated that Rules, 2021 were followed at the time of preparation of the gang-chart and there is no illegality or infirmity in preparation of the gang-chart.

5. Learned counsel appearing for the State is directed to take instructions in the matter and he will also produce the entire case diary of the present proceedings by the next date.

6. Put up this case as fresh on 10.02.2026.

(Vivek Kumar Singh,J.)

January 6, 2026

Nitendra