

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 14476 of 2023

Petitioner :- Layeek Khan

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

Counsel for Petitioner :- Siya Ram Sahu

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard Shri Siya Ram Sahu, learned counsel for the petitioner, Shri G.P. Singh, learned AGA for the State- respondents and perused the records.

2. By means of the present petition the petitioner is seeking quashing of the order dated 19.07.2023 passed by the District Magistrate, Banda, under Section 14(1) of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986.

3. It has been stated that the petitioner has already availed alternative remedy by way of filing an objection under Section 15(1) of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986 (hereinafter referred to Gangsters Act), as such, we are not inclined to entertain this petition.

4. However, the petitioner is at liberty to pursue his objection, which is pending before the District Magistrate, Banda.

5. Accordingly, the present petition stands disposed of with a direction to the respondent no. 2-District Magistrate, Banda to consider and decide the objection of the petitioner, in accordance with law, by a reasoned and speaking order, preferably within a period of three months from the date of production of a certified copy of this order.

6. Subject to the above, the writ petition stands disposed of.

Order Date :- 2.11.2023

RKM