

**Court No. - 67**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 16530 of 2023

**Petitioner :-** Sundar Bhati

**Respondent :-** State Of U.P. And 4 Others

**Counsel for Petitioner :-** Navnath Pandey

**Counsel for Respondent :-** G.A.

**Hon'ble Rahul Chaturvedi,J.**

**Hon'ble Mohd. Azhar Husain Idrisi,J.**

Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.

The present writ petition under Article 226 of the Constitution of India has been filed with the following relief:-

"i. Issue a suitable writ, order or direction in the nature of certiorari quashing the order dated 31.05.2023 passed by respondent no. 2, in Case No. 12 of 2023 (State Vs. Sundar Bhati), under Section 14(1) of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986.

ii. Issue a suitable writ, order or direction in the nature of mandamus directing the respondents no. 2 to 5 to not to take any further coercive action against the property (residential house) of applicant, and release the property (residential house) of applicant, which has been illegally attached vide order dated 31.05.2023, passed by respondent no. 2.

iii. Issue a suitable writ, order or direction in the nature of mandamus directing the respondents no. 2 to decide the "Representation for release of property" filed by applicant/petitioner dated 15.06.2023, under Rule 43(1) of Uttar Pradesh Gangster and Anti Social Activities (Prevention) Rules, 2023, pending before the court of respondent no. 2 during the pendency of the present writ petition."

Submission made by learned counsel for the petitioner is that petitioner has already filed representation dated 15.06.2023 before the respondent no. 2-Police Commissioner, Gautam Budh Nagar Commissionerate and the same is remained undecided.

Considering the facts and circumstances of the case, the respondent no. 2-Police Commissioner, Gautam Budh Nagar Commissionerate is directed to decide the representation of the petitioner dated 15.06.2023 by passing reasoned order.

With the aforesaid observation, this writ petition is **disposed of**.

**Order Date :- 18.10.2023**  
Rmk.