

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8615 of 2023

Petitioner :- Mritunjay Pathak @ Jai Pathak

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home U.P. Lko. And Others

Counsel for Petitioner :- Girish Kumar Pandey, Tripuresh Mishra

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State Respondents.
2. This writ petition has been filed with the following main prayers:-

"(i) issue a writ, order or direction in the nature of CERTIORARI thereby quash the impugned First Information Report 01.10.2023 registered at Case Crime no.- 357/2023, under section- 3(1) U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986 in Police Station- Cantt., District- Ayodhya, contained as Annexure No-1 to this writ petition.

(ii) issue a writ, order or direction in the nature of MANDAMUS commanding opposite party no.-2 not to take any coercive action including arrest the petitioners in pursuance of impugned First Information Report 01.10.2023 registered at Case Crime no.- 357/2023, under section- 3(1) U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986 in Police Station- Cantt., District- Ayodhya."

3. It has been submitted by learned counsel for the petitioner that the gang chart prepared and approved by the District Magistrate on 25.09.2023 is not in accordance with the provisions of Rule 5 (3) (a) of the Rules of 2021. He says that no date has been appended to the signatures of the Senior

Superintendent of Police.

4. It has also been stated that the petitioner has also been falsely implicated in both the cases, as both the cases were lodged within one week from each other.

5. This Court has perused the F.I.R. as well as the gang chart and finds no good ground to show interference in the impugned F.I.R.

6. This writ petition is ***dismissed***.

Order Date :- 7.11.2023

Darpan Sharma