

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8820 of 2023

Petitioner :- Ayyub Alias Mohd. Ayub And Another

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home Deptt. U.P. Lucknow And Others

Counsel for Petitioner :- Arti Shukla

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondents and perused the material placed on record.

This writ petition has been filed by the petitioners with the prayer to issue a writ, order or direction in the nature of Certiorari for quashing the impugned First Information Report dated 01.11.2023 lodged as Case Crime/F.I.R. No.0447/2023, under Sections 2/3 (1) of U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986, at Police Station - Gosaiganj, District - Sultanpur, contained as Annexure No.1 to this writ petition. A further prayer for issuing a writ, order or direction in the nature of Mandamus directing the Opposite Party No.2 & 3 not to give effect and proceed further in pursuance to the First Information Report dated 01.11.2023 lodged as Case Crime/F.I.R. No.0447/2023, under Sections 2/3 (1) of U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986, at Police Station - Gosaiganj, District - Sultanpur, contained as Annexure No.1 to this writ petition. Further prayer has also been made to issue an ad interim Mandamus to the effect that the Petitioners be not arrested in pursuance of the impugned First Information Report.

It has been submitted by learned counsel for the petitioners that in the gang chart prepared by the police only two criminal cases have been shown to have been pending against the petitioners. Learned A.G.A. for the State/respondents has pointed out from the gang chart that although 04 cases have been lodged, only in two cases charge sheet has been filed and, therefore, they have been treated as the base case while preparing the gang chart.

This Court having gone through the gang chart and the impugned F.I.R. finds no good ground to show interference.

Accordingly, the writ petition is hereby **dismissed**.

Order Date :- 17.11.2023

ML/-