

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9224 of 2023

Petitioner :- Mahmood Khan Alias Mahmood Ramjan Khan And Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home Civil Sectt. Lko And Others

Counsel for Petitioner :- Ajey Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. This Court had earlier granted time to the learned A.G.A. for the State Respondents to seek instructions / record relating to the register maintained with regard to the joint meeting being held for consideration of gang-chart. The Instructions were given earlier that no register is maintained regarding minutes of any joint meeting. Only one register is maintained where approved gang-charts are noted.

2. This Court had thereafter directed on 19.12.2023 that the respondents may produced the register maintained wherein noting regarding approval of gang-chart is made.

3. The instructions have been sent by Sri Ambedkar, Sub-Inspector of Police, Police Station-Malhipur, District- Shrawasti dated 19.12.2023 saying that no such register is maintained. The instructions have a letter dated 18.12.2023 enclosed with them, which has been sent by the District Magistrate, Shrawasti to the Superintendent of Police, Shrawasti wherein it has been stated that no register has been maintained for noting the minutes of the meeting as envisaged Rule 5 (3) (1) of the Rules of 2021.

4. The gang-chart is **quashed** and the proceedings taken in pursuance thereof are also **quashed**, as this Court is satisfied from the instructions sent by the respondents that no joint

meeting was actually held, in case, any joint meeting is held the practice is of maintained to the minutes in register which is produced when the Court asks for it.

5. The written instructions are kept on record.

6. The writ petition is ***allowed***.

7. It is clarify that the gang-chart has been quashed because there is no compliance of the procedure as prescribed under the Act and the Rules.

Order Date :- 21.12.2023

Darpan Sharma