HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 2032 of 2025

Anees @ Mohd. Anees Nasheer Mohd

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohd Khalid Ansari, Sajiya Parveen
Counsel for Respondent(s)	:	G.A.

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE DEVENDRA SINGH-I, J.

1. Case called out in revised list.

2. Even though the names of Ms. Sajiya Parveen and Mr. Mohd Khalid Ansari, Advocates are duly published in the cause list as counsel for petitioners but neither they nor any one on their behalf is present to press present writ petition even in revised call.

3. Learned A.G.A. for State-respondents 1 and 2 is present.

4. Present writ petition came up for admission on 18.02.2025 and this Court passed the following order;-

> *"1. Heard Ms. Sajiya Parveen, learned counsel for the petitioner and learned A.G.A. for the State respondents.*
>
> *2. The relief sought in this petition is for quashing of the F.I.R. dated 01.01.2025 registered as Case Crime No.001 of 2025 under Section 2/3 of U.P. Gangster and Anti Social Activities (Prevention) Act 1986, Police Station Sirsaganj, District Firozabad. Further prayer has been made not to arrest the petitioner in the aforesaid case.*
>
> *3. Learned counsel for the petitioner submits that*

petitioner has no complicity in the instant case. The whole prosecution story is totally false and frivolous and the petitioner has been falsely implicated. He submits that while invoking the proceeding, exhaustive procedure enumerated in Uttar Pradesh Gangster and Anti-Social Activities (Prevention) Rules, 2021 is given a go-bye. He further submits that in both the cases mentioned in the gang chart petitioner was granted bail. In Case crime No.428 of 2024 under Section 109 BNS and 3/25/27 of Arms Act, P.S. Sirsaganj, District Firozabad, the applicant was relased on bail vide order dated 07.12.2024 passed by Special Judge (D.A.A.)/Special Judge SC/ST, Firozabad and in Case Crime No.426 of 2024 under Section 309(4), 317(2), 318(4), 338, 336(3), 340(2) BNS, P.S. Sirsaganj, District Firozabad, the petitioner was released on bail by learned Single Judge vide order dated 04.12.2024 passed in Criminal Misc. Bail Application No.42544 of 2024 (Anish vs. State of U.P.). He apprised to the Court that till date the police report under Section 193(3) B.N.S.S. has not been submitted and as such, this Court may come to the rescue and reprieve of the petitioner.

4. The matter requires consideration by this Court.

5. Issue notice to the respondent No.3 returnable at an early date.

6. Steps be taken within a week by ordinary process as well as by registered post.

7. All the respondents may file counter affidavit within four weeks. Petitioner shall have one week, thereafter, to file rejoinder affidavit.

8. List thereafter.

9. Considering the facts and circumstances of the case as briefly discussed above, as an interim measure, till

the next date of listing or till submission of police report u/s 193(3) B.N.S.S., whichever is earlier, the respondents are restrained from arresting the petitioner pursuant to the impugned FIR, subject to cooperation in the on-going investigation."

5. Office has submitted a report dated 14.08.2025 stating therein that the petitioner has not taken steps for service upon first informant respondent-3 in compliance of order dated 18.02.2025.

6. In view of above, this petition is hereby dismissed.

7. Interim order if any shall stand vacated.

October 23, 2026
Vikram

(Devendra Singh-I,J.) (Rajeev Misra,J.)

Digitally signed by :-
VIKRAM SINGH
High Court of Judicature at Allahabad