HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 25767 of 2026

Sonu Gupta

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pankaj Mishra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 78

HON'BLE SANDEEP JAIN, J.

1. The instant writ petition under Article 226 of the Constitution of India has been filed for the following relief:-

"I. Issue a writ, in the nature of mandamus directing the respondent no.2, to decide the Appeal No.1837 of 2026, Computerized Case No.C202612000001837 [Sonu Gupta vs. Additional District Magistrate(Administration), Shahjahanpur] filed by the petitioner against the order dated 10.09.2026, passed by respondent no.3, in Case No.1484 of 2026, Computerized Case No.D202612610001484, under Section 3(1) of the UP Control of Goondas Act,1970."

2. Learned counsel for the petitioner submits that on the basis of three cases, proceedings under Section 3(1) of the U.P. Control of Goondas Act, 1970 were initiated against the petitioner and by order dated 10.09.2026 passed by the Additional District Magistrate(Administration), Shahjahanpur, the petitioner has been externed for six months from the limits of District Shahjahanpur, which has been challenged by the petitioner by filing Appeal No.1837 of 2026 (Computerized Case No.C202612000001837) [Sonu Gupta vs. Additional District Magistrate (Administration), Shahjahanpur and others], under Section 6 of the U.P. Control of Goondas Act, 1970, in which a stay application has also been moved but neither the stay application nor the appeal has been decided by the Commissioner, Bareilly Division, Bareilly. Learned counsel for the petitioner further submitted that a direction be given to the appellate authority to decide the appeal expeditiously.

3. Learned A.G.A. submits that as per instructions received by him, at present three cases are registered against the petitioner, which shows that he is a habitual offender.

4. It is apparent that since the appeal preferred by the petitioner under Section 6 of the Act, 1970, is pending before the competent authority, as such, this Court cannot examine the impugned order on merits.

5. In view of this, it would be appropriate that a direction be given to the appellate authority to decide the appeal as well as stay application expeditiously.

6. In view of the above facts, the Commissioner, Bareilly Division, Bareilly is directed to decide the stay application in Appeal No.1837 of 2026(Computerized Case No.C202612000001837) [Sonu Gupta vs. Additional District Magistrate(Administration), Shahjahanpur and others], under Section 6 of U.P. Control of Goondas Act, 1970, within a period of one month and the appeal within a period of two months from the date of production of certified copy of this order.

7. Till the disposal of the stay application or the appeal, whichever is earlier, the operation of the impugned order dated 10.09.2026 passed by the Additional District Magistrate(Administration), Shahjahanpur in Case No.1484 of 2026(Computerized Case No.D202612610001484) (State Vs. Sonu Gupta), under Section 3(1) of the U.P. Control of Goondas Act, 1970, shall remain stayed.

8. Accordingly, the instant writ petition is ***disposed of***.

(Sandeep Jain,J.)

October 29, 2026
Himanshu

Digitally signed by :-
HIMANSHU YADAV
High Court of Judicature at Allahabad