



2026:AHC:164374

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 18898 of 2026

Nadeem Mewati

.....Petitioner(s)

Versus

State Of Up And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Abhishek Kumar Saroj, Nagendra Bahadur Singh
Counsel for Respondent(s)	:	G.A.

Court No. - 73

HON'BLE SANDEEP JAIN, J.

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

"I. Issue, a writ, order or direction in the nature of Certiorari to quashing the impugned order dated 03.07.2026 passed by the Commissioner, Meerut Division, Meerut/Respondent No.2 in Case No. 1508 of 2026/CNR No. C202611000001508 (Nadeem Mewati Vs. State) under section 6 of the U.P. Control of Goondas Act, 1970 and order dated 29.06.2026 passed by the Additional District Magistrate (Administration), Meerut in Case No. 4474 of 2024/CNR No.D202411520004474 (State Vs. Nadeem Mewati), under section 3/4 of the U.P. Control of Goondas Act, 1970, Police Station Bhawanpur, District Meerut. (Annexure No.5 and 7 to this writ Petition).

II. Issue, a writ, order or direction in the nature of mandamus directing the Commissioner, Meerut Division, Meerut/Respondent No.2 to decide the stay application dated 03.07.2026 as well as Appeal as Case No. 1508 of 2026/CNR No. C202611000001508 (Nadeem Mewati Vs. State) under section 6 of the U.P. Control of Goondas Act, 1970, expeditiously preferably within stipulated period as may be fixed by this Hon'ble Court.

III. Issue, a writ, order or direction in the nature of Mandamus directing/ commanding the Additional District Magistrate (Administration), Meerut not to give effect the impugned order dated 29.06.2026 passed in Case No. 4474 of 2024/CNR No. D202411520004474 (State Vs. Nadeem Mewati), under section 3/4 of the U.P. Control of Goondas Act, 1970 (State Vs. Ishtey) at Police Station Bhawanpur, District Meerut."

Learned counsel for the petitioner submitted that proceedings under Sections 3/4 of the U.P. Control of Goondas Act, 1970 were initiated against the

petitioner on the basis of fifteen false criminal cases. Pursuant thereto, the Additional District Magistrate (Administration), Meerut, by order dated 29.06.2026, directed the externment of the petitioner from the territorial limits of District Meerut for a period of five months. Aggrieved by the said order, the petitioner preferred Appeal No. 1508 of 2026, Computerized Case No. C202611000001508 (Nadeem Mewati vs. State of U.P.), under Section 6 of the Act of 1970 before the Commissioner, Meerut Division, Meerut, along with an application seeking stay of the operation and implementation of the impugned order dated 29.06.2026, however, despite the lapse of considerable time, neither the stay application nor the appeal has been decided by the appellate authority. Learned counsel, therefore, prayed that till the disposal of the appeal, the operation and implementation of the impugned order dated 29.06.2026 be stayed.

Per contra, learned A.G.A. opposed the prayer and submitted that the present is not a case where proceedings under the Act of 1970 have been initiated merely on the basis of one or two criminal cases. It was submitted that the petitioner has a criminal history comprising fifteen criminal cases registered between the years 2003 and 2023, which amply demonstrates that he is a habitual offender who has repeatedly indulged in serious offences. Learned A.G.A. further submitted that several cases under Section 307 of the Indian Penal Code have been registered against the petitioner, which indicate that his activities are prejudicial to the maintenance of public order and that he poses a threat to society. It was, therefore, urged that the operation of the impugned order ought not to be stayed in the larger interest of society.

I have heard learned counsel for the parties and perused the material brought on record.

From a perusal of the impugned order dated 29.06.2026 passed by the Additional District Magistrate (Administration), Meerut, it is evident that the competent authority has duly considered the criminal antecedents of the petitioner. The impugned order records that the petitioner is involved in fifteen criminal cases registered during the period from 2003 to 2023, indicating a consistent pattern of criminal activities and prima facie demonstrating that he is a habitual offender.

It is well settled that conviction in a criminal case is not a sine qua non for initiation of proceedings under the U.P. Control of Goondas Act, 1970. Therefore, merely because the petitioner has not been convicted in all the criminal cases cannot, by itself, render the impugned order illegal.

During the course of hearing, learned counsel for the petitioner fairly admitted

that although the petitioner has been acquitted in eight criminal cases, the remaining criminal cases are still pending before the competent criminal courts.

In view of the aforesaid facts and circumstances, this Court finds that there is sufficient material on record to hold that no prima facie case has been made out warranting interference with the impugned order dated 29.06.2026 at this stage. Grant of the interim relief sought by the petitioner would, in effect, amount to granting the final relief claimed in the writ petition itself, which is not warranted in the facts and circumstances of the present case.

Accordingly, this Court is not inclined to stay the operation and implementation of the impugned order dated 29.06.2026 passed by the Additional District Magistrate (Administration), Meerut.

However, considering that the statutory appeal preferred by the petitioner is pending before the Commissioner, Meerut Division, Meerut, this Court deems it appropriate to direct the appellate authority to decide the same expeditiously.

Accordingly, the Commissioner, Meerut Division, Meerut, is directed to consider and decide the petitioner's pending appeal, strictly in accordance with law, by means of a reasoned and speaking order, preferably within a period of two months from the date of production of a certified copy of this order, if there is no legal impediment.

With the aforesaid observations and directions, the instant writ petition is ***disposed of.***

August 6, 2026
Mayank

(Sandeep Jain,J.)