



2026:AHC:22670-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 29977 of 2025

Imran Ali

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohd. Zaid, Pratik J. Nagar
Counsel for Respondent(s)	:	G.A.

Court No. - 45

HON'BLE RAJIV GUPTA, J.
HON'BLE ACHAL SACHDEV, J.

1. Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.
2. The instant writ petition has been filed by the petitioner with the prayer to quash the F.I.R. dated 09.12.2025 giving rise to Case Crime No. 328 of 2025, under Sections 2/3 of the U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station- Chhapar, District- Muzaffar Nagar.
3. The only submission made by learned counsel for the petitioner is that in the instant case, the impugned first information report has been lodged in utter violation of Rules 5(3)(a) of the U.P. Gangster and Anti-Social Activities (Prevention) Rules, 2021 (hereinafter referred to as "Rules, 2021") and, as such, the impugned F.I.R. is bad in law and the same is liable to be quashed.
4. Per contra, learned A.G.A. has vehemently opposed the said prayer and submitted that from a careful perusal of the gang chart, it is evident that Rule 5(3)(a) of the Rules, 2021 has been duly complied with and there is absolutely no illegality in that respect. Moreover, from the allegations made in the impugned first information report, prima facie offence is clearly disclosed against the petitioner, therefore, the impugned first information report can not be quashed.
5. Learned A.G.A. further placed reliance on the law laid down by the Hon'ble Apex Court in the case of ***State of Telangana Vs. Habib Abdullah Jellani reported in (2017) 2 SCC 779, Neeharika***

Infrastructure Pvt. Ltd. vs. State of Maharashtra and Others reported in (2021) SCC Online SC 315 and in a recent decision of the ***Hon'ble Apex Court in Criminal Appeal No. 843 of 2024, Directorate Enforcement Vs. Niraj Tyagi and others.***

6. Having considered the rival submissions made by learned counsel for the parties, the relevant law cited by learned A.G.A. and taking into consideration the fact that on the basis of three base cases, the impugned first information report under Section 2/3 of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, has been lodged against the petitioner and Rule 5(3)(a) of the Rules, 2021 has been duly complied with, therefore, keeping in view the allegations made therein, prima facie offence is clearly disclosed against the petitioner, as such, we are of the opinion that the impugned first information report cannot be quashed.

7. The prayer for quashing the impugned first information report is, therefore, refused.

8. However, in case, the petitioner moves an application for anticipatory bail/regular bail before the appropriate court, his bail application shall be considered and disposed of as expeditiously as possible in accordance with law.

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

February 2, 2026
KS

(Achal Sachdev,J.) (Rajiv Gupta,J.)