



2026:AHC:66483

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 1664 of 2025

Sunil

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Revisionist(s)	:	Anand Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 18

HON'BLE SATYA VEER SINGH, J.

1. Heard Mr. Anand Kumar Singh, learned counsel for the revisionist and Mr. Markandey Rai, learned A.G.A. for the State.
2. The present criminal revision has been filed by the revisionist for setting aside the impugned judgment and order dated 06.03.2025 passed by District Magistrate, Jaunpur in Case No.555 of 2025 in bearing Computer Case No.D202514360000555 (State Vs. Sunil), under Section 5 (Ka) U.P. Cow Slaughter and Prevention Act, 1955, Police Station Meerganj, District Jaunpur.
3. Mr. Rai, learned A.G.A. has submitted that as per the notification issued on 15.10.2024, the present criminal revision is not maintainable before this Court and is liable to be dismissed.
4. Mr. Singh has submitted that on 4.4.2025, at the time of filing the present criminal revision, he could not notice the notification; therefore, liberty be granted to file a fresh revision before the competent authority, and for the purpose, he placed reliance on paragraphs 7 to 9 of the judgment dated 18.7.2025 delivered by the Division Bench of this Court in Criminal Misc. Writ Petition No.14242 of 2025. The said paragraphs are reproduced below:-

"7. After hearing the counsel for the parties, it becomes apparent that U.P. Prevention of Cow Slaughter Act, 1955 does not provide any forum of appeal or revision against the order of confiscation regarding the seized vehicle passed by the District Magistrate. It is trite law that if any judicial or quasi judicial order is passed against a party, then he must have a forum to vindicate his grievances. A party cannot be left in lurch in case any such order is passed against him. From the perusal of the order passed in Criminal Misc. Writ Petition No. 9028 of 2021, it is evident that the said order was passed on 26.4.2024 when no such forum was available for a party to challenge the confiscation order passed by the District Magistrate in U.P. Prevention of Cow Slaughter Act, 1955. It appears that the said lacuna which occurred due to oversight of the legislature was rectified later on by issuing a notification dated 15.10.2024.

8. We have also perused the above notification which is reproduced herein below:-

UTTAR PRADESH SHASAN

Grih (Police) Anubhag-9

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of Notification no. U.O./77/VI-P-9-2024 dated 15 October, 2024.

NOTIFICATION

No. U.O./77 U.O-/VI-P-9-2024

Lucknow: Dated: 15 October, 2024

In exercise of the powers under sub-section (5) of section 5-A of the Uttar Pradesh Prevention of Cow Slaughter Act, 1955 (U.P. Act no. 1 of 1956) read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904), the Governor is pleased to authorise the Divisional Commissioner to satisfy himself at any time as to the legality or propriety of the action taken under the section 5-A of the Uttar Pradesh Prevention of Cow Slaughter Act, 1955 (U.P. Act no. I of 1956), call for and examine the record of any case and pass such order thereon as he may deem fit.

The aforesaid power shall be exercised within the limit of the respective districts of the Divisional Commissioners.

It is further Clarified that aforesaid authority Conferred to Division Commissioner may be know as Revisional Jurisdiction.

By Order,

(Rajesh kumar)

Secretary.

Signed by

Rajesh Kumar

Date: 15-10-2024 14:44:39

9. In light of the aforesaid notification, it is very much clear that a criminal revision before Divisional Commissioner alone will lie against the confiscation order passed by the District Magistrate in U.P. Prevention of Cow Slaughter Act, 1955. Hence, the present criminal writ against the impugned order after the said notification is not maintainable as petitioner has equal and efficacious remedy to ventilate his grievances. However, we are of the view that the above notification which was issued on 15.10.2024 would not have come to the notice of the petitioner. Therefore we find it appropriate to dispose of this writ petition with a liberty to the petitioner to approach the proper forum for filing a criminal revision within a month from the date of order and if petitioner approaches the forum as directed by this Court, the concerned Division Commissioner will entertain his revision without going into the question of limitation."

5. Hence, Mr. Singh prayed to withdraw the present criminal revision with liberty to avail the remedy available to him, and he has also prayed to direct

the competent authority to treat his revision within time as he has filed the present revision before this Court within time.

6. In view of the above submissions made by parties and judgment passed by Division Bench of this Court, the present criminal revision is dismissed as withdrawn with liberty to file a fresh revision before the competent authority, and if, the revisionist files the revision within three weeks from today, the question of limitation will be dealt with as paragraph 9 of the judgment dated 18.7.2025 passed by Division Bench of this Court in Criminal Misc. Writ Petition No.14242 of 2025.

7. Office is directed to return the certified copy of the impugned order to learned counsel for the revisionist after retaining a photostat copy of the same on the record.

March 30, 2026

Kpy

(Satya Veer Singh,J.)