2025:AHC:174948-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRITT PETITION No. - 22147 of 2025

Sumit Sharma

.....Petitioner(s)

Versus

State Of Up And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rajesh Kumar Tiwari
Counsel for Respondent(s)	:	G.A.

Court No. - 43

HON'BLE SIDDHARTHA VARMA, J.
HON'BLE ABDUL SHAHID, J.

By means of this writ petition, the order dated 11th September, 2025 passed in Case No.81 of 2025 (State vs. Sumit Sharma) under Section 2/3 of UP Control of Goondas Act, 1970, Police Station-Indirapuram, District-Ghaziabad, has been challenged.

Learned AGA objects to the filing of the present writ petition and states that the petitioner has efficacious remedy to file an appeal.

We do find substance in the submission of learned AGA.

Under such circumstances, we provide that if the petitioner files an appeal within a period of three weeks from today, the same shall be decided without going into the question of limitation and shall be decided within two months.

If the appeal files then for a period of two months or till the appeal is decided, the effect and operation of the order dated 11.9.2025 passed by Additional Police Commissioner, Commissionerate Ghaziabad in Case No.81 of 2025 under Section 2/3 of UP Control of Goondas Act, 1970, shall remain stayed.

With the aforesaid observation/direction, the writ petition stands disposed of.

September 26, 2025
LN Tripathi

(Abdul Shahid,J.) (Siddhartha Varma,J.)

Digitally signed by :-
LALIT TRIPATHI
High Court of Judicature at Allahabad