



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 29571 of 2025

Infarment (X)

.....Petitioner(s)

Versus

State Of U.P. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s) : Amreesh Kumar, Shahbaz Hassan,
Zawwar Haider Naqvi

Counsel for Respondent(s) : G.A.

Court No. - 47

HON'BLE J.J. MUNIR, J.

HON'BLE TARUN SAXENA, J.

Learned Counsel for the petitioner is directed to implead the Union of India through the Secretary, Ministry of Home Affairs, New Delhi and the Director, Central Bureau of Investigation (constituted under the Delhi Special Police Establishment Act, 1946), New Delhi as party-respondents during course of the day.

Let a copy of this writ petition be served upon the newly added respondents, also during course of the day.

An affidavit of compliance has been filed by the Assistant Commissioner of Police, Dhoomanganj, Prayagraj, who is present in Court today, like the earlier occasions. He has a tale to tell us how much efforts he has put in, but all to no avail. The compliance affidavit is nothing but an effort to gain time. We do not know if the buying of all this time is to help the accused, or to help the Police themselves.

Be that as it may, we cannot sit back with our hands folded and permit the absconding accused Yaqoob-respondent no.8 to remain at large. We are contemplating, therefore, to transfer this investigation to the Central Bureau of Investigation, who would be tasked with apprehending the missing accused and investigating the matter further. But, before we do that as a last resort, we grant ten days' further time to the Assistant Commissioner of Police, Dhoomanganj to apprehend the absconding

accused Yaqoob and produce him before the Court, on the next date.

At this stage, comes a very interesting turn in events. Mr. Syed Wajid Ali, learned Counsel appears on behalf of respondent no.8, the elusive respondent-accused, who is said to be so untraceable that the police cannot reach him. Learned Counsel, however, is present on his behalf. We asked Mr. Syed Wajid Ali, learned Counsel appearing on behalf of respondent no.8, if he could produce respondent no.8 before the Court. He has his logical hesitations and requested the Court that some time may be granted to him to seek instructions.

These developments lend support to our conviction that respondent no.8 is playing games with the Court. Whether the Police are siding with him, as we suspect in the matter, would be determined in a few days to come.

As we were penning the last lines of our order, Mr. Syed Wajid Ali, learned Counsel appears on behalf of respondent no.8 has some more surprise for us. He has filed a short counter affidavit on behalf of Mohammad Yaqoob-respondent no.8, sworn at Prayagraj. It carries his photographs captured on the official camera of the High Court on 21.04.2026 at 4 minutes past 2 p.m. The affidavit is signed by him.

It is really shocking that a fugitive, who is roaming so close to the High Court and almost taking part in the process of hearing of this writ petition, is away from the hands of the Police and cannot be apprehended. It speaks volumes about the fidelity of the Officer, who is investigating the matter, *prima facie*. Let this affidavit be taken on record and numbered by the Office.

Adjourned to **08.05.2026**.

To be taken up at **2:00 p.m.. as the first case**.

The personal presence of the Assistant Commissioner of Police, Dhoomanganj, Prayagraj is not exempted. He will appear again on the next date fixed.

Let this order be communicated to the Additional Chief Secretary (Home), Government of U.P., Lucknow and the Director General of

Police, U.P., Lucknow through the learned Chief Judicial Magistrate, Lucknow, and, the Commissioner of Police, Prayagraraj through the learned Chief Judicial Magistrate, Prayagraj **within 24 hours.**

(Tarun Saxena,J.) (J.J. Munir,J.)

April 23, 2026

AS/Deepak Pandey