

Court No. - 49

Case :- WRIT - A No. - 80 of 2016

Petitioner :- Devendra Kumar Singh

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Sanjeev Singh, Satyendra Kumar Pandey, Sudhakar Pandey

Counsel for Respondent :- C.S.C., Parmeshwar Yadav

Hon'ble J.J. Munir, J.

This is a part-heard and nominated matter.

In compliance with the order dated 03.07.2025, a personal affidavit has been filed by the Superintendent of Police, Ballia in Court today. It is taken on record. Let it be numbered by the office.

In paragraph nos. 8 to 16 of the said affidavit, it is averred:

"8. That in compliance of the order dated 03.07.2025 passed by this Hon'ble Court, the Station House Officer, Police Station Rewati, District Ballia, copied the order of this Hon'ble Court verbatim and on 18.06.2025 registered Case Crime No. 283 of 2025 under Sections 316(4), 316(5) of BNS against the following persons:

- i. Devendra Singh, Joint Director, Education, Azamgarh Mandal,
- ii. Devendra Kumar Gupta, District Inspector of Schools, Ballia,
- iii. Om Prakash Yadav, Principal, Government Intermediate College, Sidhauri, District Ballia, and
- iv. One unknown person, who was the then Record Keeping Clerk.

The investigation of the said case was initially conducted by Shri Prashant Kumar Chaudhary, the then Station House Officer, Police Station Rewati.

9. That since the First Information Report was registered merely by reproducing the order of this Hon'ble Court verbatim and without obtaining any written complaint from the petitioner Shri Devendra Kumar Singh, the matter came under the knowledge of the supervising officer, the Circle Officer, Bairia, who submitted his report dated 01.07.2025 to the deponent. The Circle Officer, in his report, mentioned that despite specific instructions from the Superintendent of Police, Ballia, there was a delay of 15 days in registering the First Information Report and that it was registered without procuring the complaint from the petitioner. The Circle Officer recommended a preliminary inquiry against the then Station House Officer, Police Station Rewati, for gross negligence and indifference towards official duties.

10. That acting upon the aforesaid recommendation, the deponent, by his order dated 02.07.2025, entrusted the inquiry to the Additional Superintendent of Police (South), Ballia, and ordered the removal of Shri Prashant Kumar Chaudhary from the post of Station House Officer, Police Station Rewati, and attached him to police lines. The copy of the report dated 01.07.2025 submitted by the Circle Officer, Bairia, the order dated 02.07.2025 passed by the deponent, and the order of line attachment of Shri Prashant Kumar Chaudhary are being annexed herewith and are marked as ANNEXURE NO. PA-2 to this affidavit.

11. That upon submission of the compliance affidavit by the deponent before this Hon'ble Court, this Hon'ble Court passed a further order dated 03.07.2025. The copy of order dated 03.07.2025 passed by this Hon'ble Court is being annexed herewith and is marked as ANNEXURE NO. PA-3 to this affidavit.

12. That for ensuring complete compliance of the order dated 03.07.2025 passed by this Hon'ble Court, the deponent, by his order dated 09.07.2025, cancelled Case Crime No. 283 of 2025 registered under Sections 316(4), 316(5) BNS at Police Station Rewati and directed the Station House Officer to take further necessary action strictly in accordance with the order dated 03.07.2025 of this Hon'ble Court. The copy of the order dated 09.07.2025 passed by the deponent is being annexed herewith and is marked as ANNEXURE NO. PA-4 to this affidavit.

13. That in compliance of the order dated 09.07.2025 passed by the deponent, the newly posted Station House Officer, Police Station Rewati, on 09.07.2025 itself, registered Case Crime No. 306 of 2025 under Sections 316(4), 316(5) BNS on the basis of the written complaint submitted by the petitioner, Shri Devendra Kumar Singh. The copy of the First Information Report (Chik FIR) of Case Crime No. 306 of 2025 is being annexed herewith and is marked as ANNEXURE NO, PA-5 to this affidavit.

14. That after conclusion of the inquiry against the then Station House Officer, Police Station Rewati, appropriate strict action will be taken at the level of the Superintendent of Police, Ballia, in accordance with law.

15. That the investigation of Case Crime No. 306 of 2025 under Sections 316(4), 316(5) BNS registered at Police Station Rewati shall be conducted promptly and in a qualitative manner.

16. That the deponent, on behalf of the Police Department, expresses sincere regret for the gross negligence and indifference shown by the then Station House Officer, Police Station Rewati, towards his official duties. The deponent further undertakes that all concerned officers have been sensitized to ensure that such lapses do not recur in future."

A perusal of Annexure No. PA-5 shows that a fresh F.I.R., after taking a written information from the complainant, has been registered and the F.I.R. formerly registered by copying the orders of this Court in the check form has been cancelled, as averred in paragraph no. 12 of the said personal affidavit.

This is sufficient compliance with our orders and this part of the matter rests here.

Put up this case for further hearing on **28.07.2025 at 2:00 p.m.**

The sealed cover received from the learned Registrar General shall be returned to him with the remark that it has not been opened. The sealed cover shall be sent back to the Court on the next date fixed by the learned Registrar General.

Let this order be communicated to the Superintendent of Police, Ballia through the learned Chief Judicial Magistrate, Ballia by the Registrar (Compliance) **within 48 hours.**

Order Date :- 14.7.2025

Vijay