



**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**CRIMINAL MISC. WRIT PETITION No. - 11000 of 2025**

Sabir Ali

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Home, Lko. And  
Others

.....Respondent(s)

---

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| Counsel for Petitioner(s) | : | Akhand Kumar Pandey, Abhishek Singh |
| Counsel for Respondent(s) | : | G.A.                                |

---

**Court No. - 11**

**HON'BLE ABDUL MOIN, J.**

**HON'BLE MRS. BABITA RANI, J.**

1. Sri Alok Pandey, Advocate has filed a short counter affidavit today in Court on behalf of the respondents no. 5 to 8 which is taken on record.
2. Heard learned counsel for the petitioner, learned AGA appearing on behalf of the respondents no. 1 to 4 and Sri Alok Pandey, learned counsel appearing on behalf of the respondents no. 5 to 8.
3. Instant writ petition has been filed praying for quashing of the First Information Report dated 26.04.2025 registered as Case Crime No. 0081 of 2025 under Sections 5 (1), 8 (2) & 8 (6) of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 (In short "Act, 2021") at Police Station- Jethwara District- Pratapgarh, a copy of which is annexure 1 to the writ petition.
4. Contention of learned counsel for the petitioner is that the impugned First Information Report has been lodged by the respondent no. 4 i.e Sri Hemant Yadav, Sub Inspector presently posted at Police Station- Jethwara District- Pratapgarh in the capacity of being the informant under the aforesaid provisions of the Act, 2021.
5. Contention is that from a bare perusal of the impugned First Information Report it emerges that the petitioner has committed an offence under the provisions of the Act, 2021 i.e of having converted the

private respondents to another religion.

6. It is contended that the aforesaid First Information Report has been lodged by the respondent no. 4 is patently false.

7. On the other hand, Sri Alok Pandey, Advocate who has filed a short counter affidavit today in Court on behalf of the respondents no. 5 to 8 states on the basis of averments contained in the short counter affidavit that the allegations as made in the impugned First Information Report are absolutely false, concocted, baseless and without any substance and no incident of religious conversion, inducement, allurement, pressure or coercion has ever taken place with the petitioner or with any of the other alleged victims.

8. It is further submitted that all the private respondents have already been following their religion, social custom and traditions as per their own free will, independently and without interference or pressure from any corner. At no point of time has any of them adopted any other religion as alleged in the impugned First Information Report nor has any such step ever been undertaken or considered by them.

9. Considering the aforesaid, it is thus apparent that a patently false First Information Report has been lodged by the respondent no. 4.

10. Upon the same being pointed out, learned AGA prays for granted a week's time to file a counter affidavit specifically adverting to the averments contained in the writ petition and also indicating about the averments as made in the short counter affidavit which patently belies the First Information Report which has been lodged by the respondent no. 4.

11. Considering the prima facie false First Information Report which has been lodged by the respondent no. 4, let a personal affidavit of the Principal Secretary (Home), Lucknow be filed in this regard also indicating that in case the First Information Report is found to be false as to why the exemplary cost should not be imposed against the State inasmuch as it is an officer of the State who has lodged the impugned First Information Report.

12. Let the personal affidavit of the Principal Secretary (Home), Lucknow be filed within ten days.

13. Although learned AGA prayed for a week's time to file the personal affidavit of the Principal Secretary (Home), Lucknow yet the Court grants ten days time for filing of the personal affidavit of the Principal Secretary (Home), Lucknow.

14. This Court requires the personal affidavit of the Principal Secretary (Home), Lucknow inasmuch as the Court is already deluged with the other matters which are coming before this Court and once the First Information Report is being filed by an officer of the State which prima facie appears to be false as such, this is a fit case in which the highest officer should file his affidavit indicating as to why the aforesaid First Information Report has been lodged by an officer of the State although the allegations levelled in the said First Information Report are prima facie patently false. However, the aggrieved persons are constrained to approach this Court for the redressal of their grievances whereby spending their valuable money and time and at the same time, the precious judicial time of the Court is also wasted in dealing with such cases which could have been nipped in the bud by the State itself. As such, personal affidavit would also indicate that in case such frivolous cases continue to come to the highest Court of the State as to why exemplary cost should not be imposed against the authorities who have not applied their mind while lodging the First Information Reports under the Act, 2021.

15. List this case on 02.12.2025.

16. In case, the personal affidavit is not filed by the next date then the Principal Secretary (Home), Lucknow shall appear in person along with records to assist the Court.

17. Till then, no coercive action shall be taken against the petitioner in pursuance to the impugned First Information Report.

18. It is also provided that the private respondents shall not be harassed in any manner by the respondents-authorities inasmuch as in case anything contrary is observed to the affidavit which has been filed by the private

respondents then the Court may be compelled to take strict view of the matter.

**(Mrs. Babita Rani,J.) (Abdul Moin,J.)**

**November 20, 2025**  
Pachhere/-