

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SWrit Petition(s) (Criminal) No(s). 84/2026

IRFAN SOLANKI

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 52299/2026 - EXEMPTION FROM FILING O.T.)

Date : 25-03-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLIFor Petitioner(s) : Mr. Shoeb Alam, Sr. Adv.  
Mr. Shariq Ahmed, Adv.  
Mr. Sunil Kumar Verma, Adv.  
Mr. Tariq Ahmed, Adv.  
M/S. Ahmadi Law Offices, AORFor Respondent(s) : Mr. K M Nataraj, A.S.G.  
Mr. Sharan Dev Singh Thakur, Sr. A.A.G.  
Ms. Ruchira Goel, AOR  
Ms. Ritika Rao, Adv.  
Mr. Sharanya, Adv.  
Ms. Rishika Rishabh, Adv.  
Mr. Vinayak Sharma, Adv.  
Mr. Chitransh Sharma, Adv.

UPON hearing the counsel the Court made the following

## O R D E R

1. The instant Writ Petition under Article 32 of the Constitution seeks to declare Sections 2(b)(iii) and 3(1) of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986 read with Rules 16(3), 22, 35, 37(3), and (4) of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Rules, 2021 as *ultra-vires* the Constitution of India, on the premise that these

provisions are violative of Articles 14, 20(2), and 21.

2. It is pointed out, at the outset, by Mr. K.M. Nataraj, learned Additional Solicitor General of India representing the State of Uttar Pradesh, that the outcome of these proceedings will have a direct impact on various similar laws pertaining to organised crimes enacted by some of the States like Gujarat, Maharashtra, and Delhi. In this regard, reference has been made to (i) the Gujarat Control of Terrorism and Organised Crime Act, 2015, (ii) the Maharashtra Control of Organised Crime Act, 1999, which is also extended to the NCT of Delhi; and (iii) the Karnataka Control of Organised Crimes Act, 2000. Concomitantly, it has been highlighted by Mr Shoeb Alam, learned Senior Counsel on behalf of the petitioner, that various other cases challenging the analogous provisions of these special legislations are also pending before this Court.

3. The Registry is directed to find out the cases challenging the *vires* of any of the above-mentioned statutes and tag the same along with this case, except those matters which are marked as part-heard.

4. Since the States of Gujarat, Maharashtra, and Karnataka and the NCT of Delhi are not party respondents, we direct the Registrar (Judicial) of this Court to inform the Advocates General of the States, who in turn, are requested to remain present and assist this Court along with Mr. K.M. Nataraj, learned Additional Solicitor General of India, who is already representing the State of Uttar Pradesh.

5. Similarly, it seems from the nature of issues at hand that the

Union of India is also a necessary party. We, therefore, direct that the Union of India, through the Ministry of Home Affairs, be impleaded as a party respondent. The newly added respondent will be served through the office of the learned Attorney General of India, who is also requested to be present and assist on the date fixed.

6. Post this matter for a final hearing before a three-Judge Bench on 21.05.2026.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)  
COURT MASTER (NSH)