HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTER UNDER ARTICLE 227 NO. 12231 of 2025

Mohammad Kafeel …..Petitioners(s)

Versus

State of U.P. and Another …..Respondents(s)

Counsel for Petitioners(s)	:	Kamaluddin Khan
Counsel for Respondent(s)	:	Ashok Kumar Tiwari, G.A., Mohd. Asim Zulfiquar, Sanjay Prakash Tiwari, Siddharth Chaudhary

In Chamber

A.F.R.
Reserved on: 26.02.2026
Delivered on: 03.06.2026

HON'BLE VINOD DIWAKAR, J.

Law dies twice, once when its officers turn criminal, and again when Judges choose silence over judicial courage. In both cases, the rule of law is the first casualty.

I- PROLOGUE:

The present matter has had a chequered procedural history, marked by successive orders of this Court directing the Director General of Police, Director General of Police (Prosecution), Registrar of Firms, Societies & Chits, Uttar Pradesh, and Bar Council of Uttar Pradesh to place on record certain particulars essential for an effective adjudication of the petition. When the matter first came up for hearing, this Court took note of the grievances raised and the larger issue involved and therefore issued directions calling upon the concerned parties to furnish the requisite details. Pursuant to the successive orders passed from time to time, the stakeholders have now furnished the details sought by this Court referred to hereinabove. The material so placed on record reveals, *inter-alia*, the history of criminal cases registered against advocates, the number of such cases pending or disposed of at various levels, and the disciplinary action, if any, initiated and taken by the Bar Council of Uttar Pradesh in that regard.

A perusal of the said material discloses a disquieting state of affairs- while the data furnished by the police authorities reflects that a considerable number of criminal cases stand registered against advocates across various districts, the disciplinary proceedings initiated by the Bar Council of Uttar Pradesh are conspicuously limited to only a handful of advocates, suggesting that the institutional mechanism for internal regulation and discipline within the Bar has remained largely dormant and has not kept pace with the gravity and volume of the complaints and cases unreported.

The Bar Associations registered with the Office of the Registrar of Firms, Societies & Chits, Uttar Pradesh, have been functioning in contravention of their stated objectives and bye-laws. They have consistently failed to safeguard the interests of meritorious and professionally equipped Advocates and have neglected to take remedial measures against members who have turned into gangsters and mafia elements, or against gangsters and mafia elements who have taken the legal profession as a means of seeking safe refuge.

In several Bar Associations- most notably in Gorakhpur and Kanpur- office-bearing positions are held by individuals with established criminal records. Furthermore, in nearly every District Court, organized gangs of law graduates registered with the Bar Councils have entrenched themselves for the purpose of executing court decrees, resolving disputes outside the court through coercive means, intimidating vulnerable litigants, and actively carrying out the forcible eviction of tenants and property occupants.

It is also a matter of grave concern that the judges of the District Courts have, by and large, refrained from taking any decisive action in such matters- or have chosen not to acknowledge the gravity of the problem- owing, it appears, to a belief that these socially and politically motivated gangs of law graduates enjoy protection from the pressure groups and centres of social and political power-brokerage.

As a consequence, young Advocates and newly recruited judicial officers- possessing pristine and receptive judicial minds- are finding it increasingly difficult to function effectively, fairly and independently within this deeply unconducive professional environment, vitiated by small but powerful and dominant group.

It is against this backdrop, that the matter is now taken up for final hearing and consideration on the merits.

II- BACKGROUND OF THE CASE:

1. The present petition has been preferred against the impugned order dated 18.3.2025, passed by the learned Additional Sessions Judge, Court No.12/Special Judge, Etawah, in Criminal Revision No.131 of 2024, whereby the order dated 22.3.2024, passed by the Chief Judicial Magistrate, Etawah, was affirmed. The court declined the petitioner’s prayer in a complaint case to summon the police officers.

2. On the first date of admission, the learned counsel for the petitioner sought time to file certain documents, which the Court granted for a period of one week. The said documents were directed to be filed in order to substantiate two primary contentions: first, that the Additional Sessions Judge, Etawah, has erroneously dismissed Criminal Revision No. 131 of 2024; and second, that the petitioner is innocent and has been falsely implicated by the police.

3. The documents directed to be filed include the details of the First Information Report registered against the petitioner, such as its number, date of registration, and the sections invoked, along with the name and jurisdiction of the concerned Police Station. It was further directed to place on record the present status of the investigation, whether pending or concluded, and the status regarding the filing of the charge-sheet, including the date thereof. Additionally, details as to whether charges have been framed, and, if so, the date and particulars of such framing, along with the current status of the trial proceedings, were also required to be furnished. Lastly, a copy of the Bar Council enrollment certificate admitting the petitioner as an advocate was directed to be filed.

III- SUMMARY OF THE AFFIDAVITS FILED BY THE PETITIONER:

4. The petitioner claims to be a practicing Advocate in the District Court. It is, however, noteworthy that three criminal cases stand registered against the petitioner himself. Further, the petitioner's five real brothers are habitual criminals, with a significant number of criminal cases registered against each of them, as detailed hereunder:

Sl. No.	Name	Parentage	No. of Cases
1.	Shakeel	S/o Mohd. Iqbal Quraishi	7
2.	Naushad	S/o Mohd. Iqbal Quraishi	4
3.	Akeel	S/o Mohd. Iqbal Quraishi	9
4.	Faizan @ Guddan	S/o Mohd. Iqbal Quraishi	4
5.	Dilshad	S/o Mohd. Iqbal Quraishi	7

The cumulative criminal antecedents of the petitioner's family- aggregating to 31 cases across five brothers, in addition to the 3 cases against the petitioner himself- present a deeply concerning picture and sorry state of affairs, and are directly relevant to the broader issues raised in the present petition.

5. The affidavit dated 13.11.2025, filed by the petitioner records that *three* cases have been registered against the petitioner by the police and the details are outlined herein:

(i) FIR No.0023 of 2023, under Sections 506, 504, 323 IPC, P.S. Kotwali, District Etawah registered on 26.01.2023,

(ii) FIR No.0358 of 2023, under Sections 120-B, 506, 384, 406, 471, 468, 467, 420 IPC, P.S. Kotwali, District Etawah registered on 22.12.2023, and

(iii) FIR No. 0159 of 2024, under Section 3/2 U.P. Gangsters Act, P.S. Kotwali, District Etawah registered on 31.05.2024. The affidavit further averred that the petitioner is registered with the Bar Council of Uttar Pradesh vide Enrollment No.UP01413/2022 dated 10.02.2022 and also a life-time member of the District Bar Association vide Membership No.913 of 2024 dated 26.9.2024.

6. The petitioner has also placed reliance upon:

(i) the order dated 19.6.2024, passed in Criminal Misc. Writ Petition No. 10331 of 2024, titled Kafeel v. State of U.P. & 3 Ors. wherein the Division Bench of this Court stayed the petitioner's arrest in Case Crime No.0159 of 2024, under Section 2/3 of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, P.S. Kotwali, District Etwah,

(ii) order dated 11.3.2024, whereby the petitioner has been enlarged on anticipatory bail by the coordinate Bench of this Court in Case Crime No. 358 of 2023, under Sections 420, 467, 468, 471, 406, 384, 506, 120-B IPC registered at P.S. Etawah, District Etawah, and

(iii) order dated 6.2.2023, passed by learned Additional District and Sessions Judge, Etawah whereby the petitioner has been enlarged on regular bail in Case Crime No. 23/2023, under Section 323, 504, 506, 325, 326, 324 IPC, P.S. Kotwali, District Etawah.

7. The affidavit dated 19.11.2025, filed by the petitioner, contains:

(i) a copy of the complaint dated 14.11.2025 made to SSP Etawah against Ct. Ravindra, who is stated to be working in Crime Branch U.P. Police, alleging that on 13.11.2025 at around 10:40 p.m., the petitioner was assaulted by the police at the Egg Selling Stall near railway station along with other allegations of threatening, beating, punching, and snatching the phone of the petitioner,

(ii) a copy of FIR No. 0223 of 2025, under Section 115(2), 352, 351(3) BNSS, registered at P.S. Civil Lines, Etawah on 16.11.2025; on the complaint of constable Ravindra against the petitioner, concerning the incident that took place on 13.11.2025 at 10:30 p.m. The FIR alleges that the petitioner and his brother abused, threatened, and given beating by constable Ravindra near Raja Egg Stall close to the railway station,

(iii) a request letter to the SSP Etawah to preserve CCTV footage of the place of incident occurred on 16.11.2025,

(iv) an injury report dated 18.11.2025, issued by Dr. Bheem Rao Ambedkar Hospital, Etawah, of constable Ravindra Kumar, and

(v) a complaint dated 18.11.2025 to SSP Etawah, urging the local police to follow the directions of the Supreme Court and the Human Rights Commission regarding the investigation of the aforementioned FIR.

8. A perusal of the affidavit dated 16.01.2026 reveals that on 26.07.2025, Dilshad- the brother of the petitioner, who claims to be a seasoned journalist- addressed an application by registered post to the Senior Superintendent of Police, Etawah, seeking personal security and requesting that action be initiated on his complaint of even date, wherein certain allegations were levelled against two unknown persons who had allegedly threatened him to withdraw a case pending consideration before the Court. It further appears from the said affidavit that Dilshad had also lodged a complaint with the Director General of Police, alleging that attempts were being made to falsely implicate him in criminal cases.

9. It can further be gathered from the affidavit that the petitioner and his brother Dilshad jointly filed a complaint on 18.11.2025 against one Pradeep Sharma. Thereafter, a legal notice was addressed by the petitioner to the Senior Superintendent of Police, Etawah, asserting that the petitioner, being a practicing Advocate and an officer of the Court, demanded that the strongest possible action be initiated against the said Pradeep Sharma, who had got registered FIR No. 009 of 2026 under Sections 299, 356(2), 352, and 351(3) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Kotwali, District Etawah- against the petitioner and his brothers. A copy of the said legal notice was simultaneously forwarded to the Additional Chief Secretary (Home), the Director General of Police, and other concerned police officers, requesting that appropriate action be initiated against the Senior Superintendent of Police.

IV- SUMMARY OF CASES REGISTERED AGAINST PETITIONER AND HIS BROTHERS, AS PROVIDED BY INSPECTOR POSTED AT P.S. KOTWALI, DISTRICT ETAWAH:

10. The affidavit filed by the Inspector posted at P.S. Kotwali, District Etawah, discloses that, as per the DCRB report, the applicant is involved in three cases, detailed herein below. It is further recorded that the petitioner and his brothers are named in 34 cases. The details are delineated below:

(1) *Shakeel, son of Mohd. Iqbal Quraishi*, brother of the applicant, r/o Urdu Mohalla, P.S. Kotwali, District Etawah, has been named in;

i. Case Crime No.99 of 2025, under Section 3/5/8 of the Prevention of Cow Slaughter Act, registered at P.S. Kotwali,

ii. Case Crime No.203 of 2023, under Sections 147, 323, 504, 506 IPC, registered at P.S. Kotwali,

iii. Case Crime No.439 of 2016, Section 13 of Public Gambling Act, registered at P.S. Kotwali,

iv. Case Crime No.495 of 2021, under Section 5/8 of the Cow Slaughter Act, registered at P.S. Kotwali,

v. Case Crime No.125 of 2022, under Sections 147, 332, 353, 504, 506 IPC, registered at P.S. Civil Lines,

vi. Case Crime No.230 of 2013, under Section 323, 448, 504, 506 IPC, registered at P.S. Kotwali, and

vii. Case Crime No.471 of 2010, under Sections 384, 323, 427, 452, 504, 506 IPC, registered at P.S. Kotwali.

(2) *Naushad, son of Ikbal Quraishi, r/o Urdu Mohalla*, has been named in;

i. Case Crime no. 698 of 2015, under Sections 147, 148, 323, 352, 504, 506 IPC, registered at P.S. Kotwali,

ii. Case Crime no.207 of 2016, under Section 498, 506 IPC, registered at P.S. Kotwali,

iii. Case Crime no. 764 of 2016, under Section 376D IPC and Section 3/4 of the POCSO Act, registered at P.S. Kotwali, and

iv. Case Crime no. 203 of 2023, under Section 147, 323, 504, 506 IPC, registered at P.S. Kotwali.

(3) *Akeel, son of Ikbal Quraishi, r/o Urdu Mohalla, P.S. Kotwali, District Etawah,* has been named in;

i. Case Crime no. 203 of 2023, under Sections 147, 323, 504, 506 IPC, registered at P.S. Kotwali,

ii. Case Crime no. 230 of 2013, under Sections 323, 448, 504, 506 IPC, registered at P.S. Kotwali,

iii. Case Crime no. 471 of 2010, under Sections 384, 323, 427, 452, 504, 506 IPC, registered at P.S. Kotwali,

iv. Case Crime no. 419 of 2015, under Sections 364, 504, 506 IPC, registered at P.S. Kotwali,

v. Case Crime no.675 of 2019, under Section 13 Gambling Act, registered at P.S. Kotwali,

vi. Case Crime no. 358 of 2023, under Section 120-B, 384, 406, 420, 467, 468, 471, 506 IPC, registered at P.S. Kotwali,

vii. Case Crime no. 52 of 2024, under Section 504, 506 IPC, registered at P.S. Kotwali,

viii. Case Crime no. 159 of 2024, under Section 2/3 Gangsters Act, registered at P.S. Kotwali, and

ix. Case Crime no. 348 of 2009, under sections 325, 323, 504, 506 IPC, registered at P.S. Kotwali.

(4) *Faizan @ Guddan, son of Ikbal Quraishi, r/o Urdu Mohalla, P.S. Kotwali, District Etawah,* has been named in;

i. Case Crime no. 203 of 2023, under Sections 147, 323, 504, 506 IPC, registered at P.S. Kotwali,

ii. Case Crime no. 275 of 2023, under sections 323, 341, 504, 506 IPC, registered at P.S. Civil Lines,

iii. Case Crime no. 23 of 2023, under Sections 323, 324, 325, 326, 504, 506 IPC, registered at P.S. Kotwali, and

iv. Case Crime no. 52 of 2024, under Section 504, 506 IPC, registered at P.S. Kotwali.

(5) *Dilshad, son of Ikbal Quraishi, r/o Urdu Mohalla, P.S. Kotwali, District Etawah,* has been named in;

i. Case Crime no. 203 of 2023, under Section 147, 323, 504, 506 IPC, registered at P.S. Kotwali,

ii. Case Crime no.275 of 2023, under Section 323, 341, 504, 506 IPC, registered at P.S. Civil Lines,

iii. Case Crime no. 23 of 2023, under sections 323, 324, 325, 326, 504, 506 IPC, registered at P.S. Kotwali,

iv. Case Crime no. 698 of 2015, under sections 147, 148, 323, 352, 504, 506 IPC, registered at P.S. Kotwali,

v. Case Crime no. 760 of 2019, under Section 147, 148, 153-A, 186, 188, 332, 352 IPC and Section 7 CLA, registered at P.S. Kotwali,

vi. Case Crime no. 164 of 2015, under section 394, 411 IPC, registered at P.S. Vedpura, and

vii. Case Crime no. 15 of 2016, under section 3/25 of the Arms Act, registered at P.S. Vedpura.

(6) *Kafeel, son of Ikbal Quraishi, r/o Urdu Mohalla, P.S. Kotwali, District Etawah,* has been named in;

i. Case Crime no. 23 of 2023, under Sections 323, 324, 325, 326, 504, 506 IPC, registered at P.S. Kotwali,

ii. Case Crime no. 358 of 2023, under section 120-B, 384, 406, 420, 467, 468, 471, 506 IPC, registered at P.S. Kotwali, and

iii. Case Crime no. 159 of 2024, under section 2/3 Gangsters Act, registered at P.S. Kotwali.

V- CHRONOLOGICAL BRIEF SUMMARY OF THE ORDERS PASSED BY THIS COURT:

11. Upon examining the affidavits, it stands admitted that the petitioner is implicated in three criminal cases, and that all his brothers are identified as hardened criminals. In these circumstances, this Court considers it necessary to assess the extent to which the petitioner's involvement in such criminal proceedings may bear upon his professional integrity. This evaluation is essential to determine whether his conduct could in any manner adversely affect the functioning of the courts and whether he would be capable of discharging his professional duties fairly and credibly.

12. Article 227 vests the High Court with the power of superintendence over all courts and tribunals within its territorial jurisdiction. In its judicial capacity, the High Court's jurisdiction is supervisory. It is exercised to ensure that district courts and tribunals function within the bounds of their lawful authority, follow procedure established by law and adhere to the principles of natural justice. The High Court may intervene where there is a jurisdictional error, a procedural irregularity, perversity in findings, patent illegality, or a grave dereliction of duty resulting in a miscarriage of justice.

13. Thus, judicial superintendence under Article 227 operates as a constitutional safeguard to protect the sanctity and purity of the justice-delivery system. While the jurisdiction is extraordinary and discretionary, it must be exercised effectively where intervention is necessary to secure justice and to prevent miscarriage of justice across and within the hierarchy of district courts.

14. This Court has taken note of the fact that the functioning of the District Judiciary has, on several occasions, though not always, been adversely affected due to the conduct of certain advocates with criminal antecedents appearing before the Court. It has further come to the Court's notice that in many districts, advocates with criminal backgrounds facing serious criminal charges hold positions of authority within their respective Bar Associations.

15. The legal system derives its strength not merely from statutory provisions or judicial precedents, but from the moral legitimacy that flows from public confidence in its fairness and integrity. Advocates and office-bearers of Bar Associations occupy a unique institutional position, being both officers of the court and custodians of professional ethics. Their conduct is therefore inseparably tied with legality and professionalism.

16. It is correct that, until a court of law awards a conviction, every individual is presumed to be innocent. Nevertheless, an individual's conduct and antecedents undeniably bear upon both personal and professional integrity. Crime originates in thought, and thought influences conduct; therefore, when individuals facing serious criminal allegations hold positions of influence within the legal system, there exists a legitimate concern that they may improperly exert influence over police and regulatory authorities, as well as judicial processes, while operating under the cloak of professional legitimacy.

17. Such situations, even if infrequent, pose a potential threat to the rule of law. Any circumstance or event that has the effect or tendency of undermining public confidence and the courts' working in the impartial administration of justice warrants close scrutiny. This Court is duty-bound to ensure that even the slightest threat to the rule of law is addressed with sensitivity and seriousness, so that the faith of the common citizen in the justice delivery system remains unshaken.

18. In order to achieve the aforesaid objective and arrive at a logical conclusion, all Commissioners/ SSPs/SPs of Uttar Pradesh, through the Director General of Police, and all Joint Directors (Prosecution) / SPPs, through the Director General of Police (Prosecution), were directed to furnish, at the earliest, comprehensive details of criminal cases pending against Advocates enrolled with the Bar Council of Uttar Pradesh, in tabular format.

19. The concerned officers were also granted the liberty, and it was left to their discretion, to furnish any additional information that may be relevant and necessary for achieving the aforesaid objective. Such information, if considered necessary, was to be submitted in a sealed cover, either directly before this Court or through the Registrar General of this Court, as the case may be.

20. The information was to include, *inter-alia:* **(i)** the date of registration of the FIR along with the respective Crime Number(s) and penal provisions; **(ii)** the name of the police station concerned; **(iii)** the then present status of the investigation and the date of conclusion of the investigation, if it had concluded; **(iv)** the date of filing of the charge-sheet; **(v)** the date of framing of the charge; and **(vi)** the details of the prosecution witnesses examined up to that stage and the then current status of the trial etc.

21. Subsequently, after hearing Shri Anup Trivedi, learned Additional Advocate General, assisted by Shri Paritosh Kumar Malviya, learned Additional Government Advocate-I, and Shri Vibhav Anand Singh, learned Additional Government Advocate, and upon a brief perusal of the compliance affidavits filed by the Director General of Police and the Director General of Police (Prosecution), this Court deemed it necessary to sought the assistance of the Bar Council of Uttar Pradesh as well. Accordingly, the Bar Council of Uttar Pradesh, through its Secretary, was directed to assist this Court with respect to the concerns noted in the order dated 26.11.2025.

22. The order dated 15.12.2025 records that Shri Ashok Kumar Tiwari, learned counsel appearing for the Bar Council of Uttar Pradesh, placed before the Court a list of Advocates facing disciplinary proceedings pending consideration before the disciplinary committee of the Bar Council of Uttar Pradesh. He also produced Resolution No. 2300 of 2024 dated 29.09.2024, recording a unanimous decision of the Bar Council to suspend the licences of practice of those Advocates against whom the police have opened history sheets or who are recorded as gangsters in police records. Further, he was directed to produce details of all Advocates, who have been issued Certificates of Practice, in compliance with the Supreme Court judgement passed in ***Ajay Shankar Srivastava v. Bar Council of India and Another***[1].

23. The order further records that all Station House Officers, through their respective Senior Superintendents of Police, were directed to file undertakings certifying that the complete list of cases registered against Advocates had been furnished to this Court in compliance with the earlier orders, that no material information has been concealed, and that no other case against any Advocate remained undisclosed at their respective police stations. A fresh and comprehensive list, police station-wise, was also directed to be submitted.

24. The order dated 18.12.2025 records that Shri Ashok Kumar Tiwari, learned counsel for the Bar Council of Uttar Pradesh, placed on

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record letters bearing Nos. 4832 and 4833, both dated 18.12.2025, disclose that a total of 5,14,439 Advocates are presently enrolled with the Bar Council of Uttar Pradesh, of whom Certificates of Practice have been issued to 2,49,809 Advocates. During the verification process, the enrollments of 105 Advocates were found to be fake. It was further clarified that police verification was not undertaken during the Certificate of Practice verification process, as the same was not mandated. The said letters were accompanied by relevant documents, including the Bar Council of India Rules, application forms, a police verification form, instructions for applicants, relevant rule extracts, a pen drive containing data of Advocates issued Certificates of Practice, a copy of the judgment of the Supreme Court in *Ajay Shankar Srivastava (supra)*, and the directions issued by the High-Power Committee, constituted by the Supreme Court of India.

25. A letter bearing No. 4816 dated 14.12.2025, was also placed on record, which discloses that the Bar Council of Uttar Pradesh has unanimously taken *suo-motu* cognizance against 98 Advocates, and disciplinary proceedings against 23 Advocates are presently pending before its Disciplinary Committee.

26. A list of 305 District Court Bar Associations, both at District and Tehsil levels, affiliated with the Bar Council of Uttar Pradesh, was also placed on record. It is noted, that the elections of office bearers of these associations are conducted in accordance with their respective bye-laws, and to some extent regulated and supervised by the Bar Council of Uttaar Pradesh.

27. The Registrar of Firms, Societies & Chits, Uttar Pradesh, Lucknow, was directed to furnish the following information in respect of the 305 District Bar Associations/ Societies registered with it: **(i)** the bye-laws of each such association/society; **(ii)** the list of Advocates/members, who contested elections during the last five years, along with details of election results, including the list of office bearers submitted to the respective registering authorities; and **(iii)** details of elections held and instances, if any, of non-compliance with the bye-laws by the office bearers.

28. For the purpose of the said order, the expression *"societies registered by Advocates"* was clarified to mean societies registered by a group of Advocates practicing in District Courts or Tehsil Courts for the purpose of regulating their professional affairs, welfare, and ancillary objectives, and not for personal aggrandizement or extraneous purposes.

29. Further, this Court having upon received communications from aggrieved individuals alleging that certain Advocates, against whom multiple criminal cases stand registered, had managed to evade scrutiny during the compliance exercise- particularly those, who are resourceful and not actively engaged in legal practice- the Commissioners of Police/ Senior Superintendents of Police/ Superintendents of Police of the respective districts were directed to personally supervise the process and to ensure that the undertakings furnished by the Station House Officers are free from any influence, pressure, or extraneous considerations.

30. The orders dated 05.01.2026 and 27.01.2026 record that although, the matter was listed for pronouncement of judgment, Shri Paritosh Kumar Malviya, learned Additional Government Advocate-I, sought a short adjournment to enable compliance with the directions contained in the order dated 18.12.2025, which was accordingly granted.

31. The matter was thereupon adjourned with a direction to file a detailed report containing the names of Advocates against whom three, five, seven, and ten or more criminal cases have been registered by the police and/or are pending trial before different courts. The said report was directed to be accompanied by a properly indexed and compiled record and was also to be submitted in a pen drive. In addition thereto, a separate list was directed to be placed on record, containing details of cases involving heinous offences pending against such Advocates, clearly indicating the nature of offences, case numbers, and the courts before which such cases are pending.

32. As regards the Registrar of Firms, Societies & Chits, Uttar Pradesh, the office report indicated that notice was served upon him through the office of the Chief Judicial Magistrate, Uttar Pradesh; however, no communication was received from his office in response thereto.

33. In view of the aforesaid, an explanation was called for from the Registrar of Firms, Societies & Chits, Uttar Pradesh, as to why the directions contained in the order dated 18.12.2025 have not been complied with.

34. Subsequently, upon partial compliance with the aforesaid directions, the Registrar of Firms, Societies & Chits, Lucknow, Uttar Pradesh, was further directed to file an affidavit specifically disclosing:

(i) the status of societies, which are not functioning in compliance with the provisions of the Societies Registration Act, 1860, and the Rules framed thereunder,

(ii) the nature and extent of statutory powers available to the competent authority/officer under the Act and Rules to initiate action against such defaulting societies,

(iii) the action already taken and the action contemplated in law against societies, which are not functioning in accordance with their registered bye-laws, the Rules framed under the Societies Registration Act, 1860, the applicable Government Orders, and other standing instructions issued by the State Government, and

(iv) the reasons, if any, which have prevented the concerned officers from initiating or concluding appropriate action against such societies in accordance with law.

35. The learned Chief Standing Counsel was further directed to appoint a Government Advocate conversant with matters arising under the Societies Registration Act, 1860, to remain present and assist this Court on the next date of hearing.

36. The order dated 17.02.2026 records that being dissatisfied with the contents of the affidavit filed by the Deputy Registrar of Firms, Societies & Chits, Lucknow, Uttar Pradesh, this Court further directed that the status of societies of Advocates, which were not functioning in accordance with the provisions of the Societies Registration Act, 1860, and the Rules framed thereunder, be placed on record, along with compliance of the other directions issued earlier.

37. In response, another affidavit was filed by the Deputy Registrar of Firms, Societies & Chits, Uttar Pradesh, Lucknow, primarily stating that societies registered under the Societies Registration Act, 1860, are self-governing and democratic bodies constituted for charitable purposes, and that the Act does not contemplate official interference in the day-to-day affairs and activities of such societies, nor does it cast any obligation upon them to inform the Registrar's office of their activities. It was further stated that issues pertaining to societies are entertained only upon receipt of a written complaint from members or from the management of the concerned society.

38. In the above backdrop, this Court observed that there appeared to be no effective check and balance on the activities of societies from the office of the Registrar of Firms, Societies & Chits. The affidavit indicated that the office was functioning merely as a post office, without any regulatory mechanism to oversee the affairs of societies. If the contents of the affidavit were accepted as correct, the situation was indeed alarming, as it suggested the absence of any system of checks and balances over the functioning of institutions, trusts, or societies, unless a formal complaint is received. It was also evident, that the department was burdened with considerable litigation; however, no effective mechanism appeared to have been developed to address the issue. Such a state of affairs was found to impede the *'ease of governance'* and to fail in providing an appropriate platform for supervising institutions in accordance with the procedure established by law.

39. In view of the voluminous data running into more than thousand pages in five compilations placed on record by the State and the Bar Council of Uttar Pradesh, and considering the necessity of proper compilation and assistance to this Court, Ms. Pratima Vishwakarma, Advocate (A/P-0555/2024), and Ms. Juveriya Kazmi, Advocate, were appointed as *Amici Curiae* to assist this Court in the present matter, with a direction to coordinate with Mr. Jatin Rana, Research Associate.

40. The orders dated 20.02.2026, 23.02.2026, and 26.02.2026 record that Shri Ashok Kumar Tiwari, learned counsel for the Bar Council of Uttar Pradesh, submitted that the Bar Council proposed to constitute Disciplinary Committees to address issues concerning Advocates with criminal antecedents, who were practicing in courts.

41. The learned *Amici Curiae* placed reliance upon ***S.M. Ananthamurugam v. The Chairman, Bar Council of India and Others***[2], to address that the High Court has the power to permit or refuse the practice of an Advocate and the power derives from Section 34(1) of the Advocates Act, 1961.

42. She next relied upon ***R.K. Anand v. Registrar, Delhi High Court***[3] to demonstrate that Article 325 of the Constitution of India vests the High Court with the power of control over District Courts, it should also include a positive element. It should not be confined only to the posting, transfer and promotion of the officers of the district judiciary. The power of control should also be exercised to protect them from external interference that may sometimes seem overpowering, and to support them in discharging their duties fearlessly. It is thus held that the High Court would be free to exercise the powers vested in it under Section 34 of the Advocates Act, 1961, to frame rules to preserve the purity of judicial proceedings without any interference.[4]

2 *S.M. Anantha Murugan v. The Chairman, Bar Council of India, New Delhi and Others;* 2015 SCC OnLine Mad 8636; Para-89 & 90; The learned Single Judge of the Madras High Court had issued structured guidelines to the Bar Council of India, and one of the directions was to ensure that candidates with serious offence be not allowed to be enrolled. The direction was challenged before the Division Bench and subsequently before the Larger Bench headed by 3-judge, which upheld the order passed by the learned Single Judge. Now, the matter is pending before the Supreme Court for consideration in Diary No.12032/2026

3 (2009) 8 SCC 106

4 [Reference: Para- 343, R.K. Anand Case (supra)]

43. In another case[5], V.R. Krishna Iyer, J. speaking, for the 7-judge Bench, concurring with M.H. Beg, J., articulated his opinion that the social canvas must be spread wide when making out the profile of a statute like the Advocates Act, 1961 for the good reason that the Bar has a share in being the sentinel on the *qui vive* when the legal dykes of right and justice are breached by authoritarianism or citizen wrong doing.

44. In paras 52 & 54, it observed:

> *"52. The Bar is not a private guild, like that of "barbers, butchers and candlestick-makers" but, by bold contrast, a public institution committed to public justice and pro bono publico service. The grant of a monopoly licence to practice law is based on three assumptions: (1) There is a socially useful function for the lawyer to perform, (2) The lawyer is a professional person who will perform that function, and (3) His performance as a professional person is regulated by himself not more formally, by the profession as a whole. The central function that the legal profession must perform is nothing less than the administration of justice ('The Practice of Law is a Public Utility' - 'The Lawyer, The Public and Professional Responsibility' by F. Raymond Marks et al - Chicago American Bar Foundation, 1972, p. 288-89). A glance at the functions of the Bar Council, and it will be apparent that a rainbow of public utility duties, including legal aid to the poor, is cast on these bodies in the national hope that the members of this monopoly will serve society and keep to canons of ethics befitting an honourable order. If pathological cases of member misbehaviour occur, the reputation and credibility of the Bar suffer a mayhem and who, but the Bar Council, is more concerned with and sensitive to this potential disrepute the few black sheep bring about? The official heads of the Bar i.e. the Attorney-General and the Advocates-General too are distressed if a lawyer "stoops to conquer" by resort to soliciting, touting and other corrupt practices.*
>
> *54. A case of professional misconduct is not a lis in the British sense nor a case and controversy in the American meaning. It is a public investigation about misconduct by one belonging to a public profession, where every member of the Bar with a reputation to lose has a stake, and everyone concerned with the justice administration is interested. The Bar Council is herein involved in public litigation in which a section or the whole of the community is affected."*

VI- STATISTICAL REPORT EMERGING FROM THE AFFIDAVITS FILED BY POLICE:

45. The statistical report suggests that there are a total of 4157 Advocates involved in 5056 criminal cases in 75 Districts, 7 Commissionerates, and GRP.[6] Out of 4157 Advocates, 418 Advocates are involved in 3 or more cases across the entire State. Out of 418, there

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5 Bar Council of Maharashtra v. M.V. Dabholkar and Others, (1975) 2 SCC 702

6 The figures do not match when compared with the numerous mails and letters received from the victims and aggrieved persons.

are 28 Advocates with 11 or more cases[7], 126 Advocates with 5 to 10 cases, and 264 Advocates with 3 to 4 cases. Further, it is a matter of grave concern that certain Advocates in the State of Uttar Pradesh, despite having as many as 46 First Information Reports registered against them, continue to be permitted to practice before the courts of law. In order to appreciate the gravity of the issue, a few illustrative instances have been set out in the footnote. The said list is by no means exhaustive; it is merely indicative of the tip of the iceberg.

46. The following table reproduces the zone-wise totals as appearing in the source Compilation:

Zone/Commissionerate	Number of Advocates involved in criminal cases	Number of cases
Agra Zone	138	249
Prayagraj Zone	127	184
Meerut Zone	118	201
Gorakhpur Zone	359	476
Kanpur Zone	191	333

7 1. Dharmendra Kumar Sharma s/o Girraj Prasad Sharma, District Mathura **(46 FIRs)**
2. Anil Kumar Singh s/o Virendra Bahadur Singh, District Gonda **(32 FIRs)**
3. Mafia Anupam Dubey s/o Late Mahesh Chandra Dubey, District Farrukhabad **(28 FIRs)**
4. Dileep Singh Thakur s/o Kunwar Bahadur Singh, Commissionerate Lucknow **(27 FIRs)**
5. Lalit Kaushik s/o Jagat Kumar Sharma, District Moradabad **(26 FIRs)**
6. Rakesh Tripathi s/o Animapati Tiwari, District Gonda **(26 FIRs)**
7. Bhanu Pratap Pandey s/o Ram Shobha Pandey, District Gorakhpur **(21 FIRs)** -
8. Ravindra Nisad s/o Late Sundar Nisad, District Gorakhpur **(21 FIRs)**
9. Rohit Tiwari s/o Lal Babu @ Shiv Sevak Tiwari, District Chitrakoot **(17 FIRs)**
10. Azim Malik s/o Malik Ahmad, District Aligarh **(17 FIRs)**
11. Deepak Sharma s/o Balvir Sharma, District Amroha **(16 FIRs)**
12. Shailendra Singh s/o Matafer Singh, District Raebareli **(16 FIRs)**
13. Wasim Beg s/o Khaliq Beg, District Pilibhit **(15 FIRs)**
14. Mahendra Pratap Singh s/o Sukhpal Singh, District Gonda **(15 FIRs)**
15. Nawab Singh s/o Late Chetram, District Kannauj **(14 FIRs)**
16. Kunwar Ambika Singh @ Dabbu Singh s/o Tej Bahadur Singh, Commissionerate Lucknow **(13 FIRs)**
17. Raj Kumar Sharma @ Raj s/o Bhola Nath Sharma, District Lucknow **(13 FIRs)**
18. Akhilesh Dubey s/o Ram Krishna Dubey, District Kanpur Nagar **(13 FIRs)**
19. Sharad Yadav s/o Om Prakash, Commissionerate Lucknow **(13 FIRs)**
20. Syed Manjar s/o Syed Mohd. Nafees, Commissionerate Lucknow **(12 FIRs)**
21. Parvesh @ Bota s/o Balvir Singh, District Etah **(12 FIRs)**
22. Atul Tyagi s/o Ravi Dutt Tyagi, District Hapur **(12 FIRs)**
23. Vinod Sisodia s/o Satpal Singh, District Hapur **(12 FIRs)**
24. Dheeraj Upadhyay @ Dinu Upadhyay s/o Jagjivan, District Kanpur Nagar **(12 FIRs)**
25. Saurabh Pratap Singh s/o Devendra Singh, Commissionerate Lucknow **(11 FIRs)**
26. Lokesh Pathak s/o Har Prasad Pathak, District Hathras **(11 FIRs)**
27. Randhir @ Tiger s/o Ram Swaroop Yadav, Farrukhabad **(11 FIRs),** and
28. Prem Singh @ Bhure s/o Ganga Singh, District Sambhal **(11 FIRs)**.

Bareilly Zone	534	762
Varanasi Zone	300	364
Lucknow Zone	301	444
Commissionerate Prayagraj	226	350
Commissionerate Agra	32	50
Commissionerate Ghaziabad	168	79
Commissionerate Kanpur Nagar	323	460
Commissionerate Lucknow	917	586
Commissionerate Varanasi	403	500
Commissionerate Gautam Budh Nagar	18	16
GRP	2	2
GRAND TOTAL (as provided by DGP)	**4,157**	**5,056**

VII- A CRITICAL, DISTRICT-WISE ANALYSIS OF CRIME PATTERNS AMONG ADVOCATES:

47. The figure of 4,157 advocates against whom 5,056 criminal cases are pending is not an isolated phenomenon. It represents a State-wide pattern cutting across all 7 administrative zones, all Commissionerates, and across 74 of the 75 districts (Hardoi alone reporting zero). This magnitude warrants systemic attention by the Bar Council of Uttar Pradesh and by this Court. The Compilation specifically records zero cases against advocates across all 26 police stations in the Hardoi district. This singular exception, in a State otherwise extensively covered, is a data point requiring examination: whether it reflects genuine absence of criminal antecedents, or a gap in data collection or reporting.

48. The single most alarming entry in the entire Compilation is Wazirgunj police station, Lucknow, which alone accounts for 422 advocates against whom cases are registered, with 236 FIRs. This is more than three times the advocate count of any other single police station in the State and suggests a very high concentration of alleged offending conduct among advocates operating in the vicinity of Lucknow courts.

49. Kanpur Nagar Commissionerate's Kotwali (East Zone) records 109 advocates with 112 pending cases, the second-highest single police station figure. Combined with Karnalgunj (16/32) and Nawabganj (16/18) in the Central Zone, Kanpur Nagar emerges as having 323 advocates involved with 460 cases, the highest among all Commissionerates. Balrampur's Kotwali Nagar records 52 advocates with 66 cases. The district total of 131 advocates/ 163 cases makes Balrampur the highest-burden district in the Gorakhpur Zone. Gorakhpur Cantt records 60 advocates and 49 cases, making it the single most active police station in the Gorakhpur Zone.

50. Within the Bareilly Zone, Sambhal district shows a striking concentration, with Chandausi recording 34 advocates and 46 cases, and Gunnour recording 14 advocates and 30 cases. The district's total of 128 advocates/175 cases makes it the most adversely affected district in the Bareilly Zone.

51. Fatehgarh Police Station of Farrukhabad district records that 113 cases are registered against 42 Advocates. This strongly suggests that advocates in Fatehgarh face multiple FIRs, pointing to a pattern of habitual alleged offending behaviour. Kannauj's Kotwali police station records 45 advocates and 65 cases- the highest number among police stations in the Kanpur Zone. Unnao's Kotwali police station records 32 advocates with 35 cases, making it the most active police station in Unnao district.

52. Raebareli's Maharajganj police station records 17 advocates with 45 cases, the second highest single- police station case-to-advocate ratio in the Compilation. This signifies serious habitual offending alleged to have occurred here.

53. In the Varanasi Commissionerate (Varuna Zone), the Cantt police station alone records 86 advocates and 107 cases- the highest case count for any single police station in the Varanasi Commissionerate. Shivpur (62/85) and Badagaon (36/46) in the Gomti Zone add substantially to the total. Police Station Meja is the most active within the Prayagraj Commissionerate, with 40 advocates and 54 cases. Karnalgunj (44/52) and Handia (12/35) are other significant entries in the Commissionerate. Within Sultanpur district, Kadipur police station (13 advocates/ 19 cases) and Akhandnagar police station (3/10) show high case ratios.

54. Hapur district's Dhaulana police station records only 15 advocates, but 51 cases are registered against them. This is an extraordinary figure indicating that a small group of advocates at Dhaulana is implicated in a very large number of FIRs.

55. A significant feature of the Compilation is the large number of police stations that return 'zero', meaning thereby no advocates with cases registered there. This is particularly evident in the districts of Budaun, Pilibhit, Rampur, Bijnor, and Shahjahanpur.

VIII- ANALYTICAL SUMMARY OF ADVOCATES WITH FAKE/FORGED QUALIFICATIONS IDENTIFIED BY THE BAR COUNCIL OF UTTAR PRADESH:

56. Category-wise breakup of fake degrees suggests that 105 advocates identified with forged qualifications reveals that the large majority- approximately 65 out of 105- had forged their LL.B. degree, which is the core professional qualification required for enrollment as an advocate. This is the most alarming category, as it indicates that a significant number of practicing advocates may never have legitimately obtained a law degree. The second-largest category comprises approximately 28 advocates who have forged their Graduation degree, which is a prerequisite for admission to a law course. About 5 advocates forged their integrated B.A.LL.B. degree. Intermediate and High School certificates were forged by approximately 3 advocates each, indicating that in some cases the falsification extended to the very foundational levels of education. One advocate was found to have forged a BCA degree. Taken together, the data paints a deeply troubling picture of forgery at multiple levels of the educational ladder, with the professional law degree being the most commonly falsified document.

57. The universities, whose names were most frequently misused for fabricating fake degrees, present a clear and disturbing pattern. The University of Allahabad tops the list by a wide margin, with approximately 52 cases attributed to it. This is particularly significant, given that Allahabad University is a reputed and well-established institution, and its name appears to have been exploited systematically, especially by advocates enrolled in the 1990s and early 2000s. Shridhar University, Pilani, Rajasthan, features in approximately 12 cases, predominantly involving forged Graduation degrees of advocates enrolled between 2018 and 2023, suggesting a more recent, concentrated pattern of misuse of this university's name. Glocal University, Saharanpur appears in about 5 cases, mostly involving B.A.LL.B. and LL.B. degrees of recently enrolled advocates. Veer Bahadur Singh Purvanchal University, Jaunpur and Swami Vivekanand University, Sagar, MP, each appear in approximately 4 cases. Dr. S.V. Raman University, Kargi Road, Kota, Bilaspur features in about 3 cases. UP Board certificates- covering High School and Intermediate levels- were forged in approximately 4 cases. The remaining cases involve a diverse range of universities across several states, including Rajasthan, Madhya Pradesh, Haryana, Tamil Nadu, Chhattisgarh, Delhi, and Uttar Pradesh, indicating that the forgery network has not only confined to any single region, but across the country.

58. The district-wise data reveals a highly skewed geographical concentration of the fraud. Prayagraj accounts for the largest number of affected advocates, with approximately 49 of 105 cases originating from this district. This is perhaps not surprising given that Prayagraj is the seat of the Allahabad High Court and hosts one of the largest concentrations of enrolled advocates in Uttar Pradesh, but the sheer proportion of cases from this district warrants focused attention from the Bar Council. GB

Nagar follows with approximately 7 cases, and Ballia and Lucknow each account for approximately 6 cases. Kanpur Nagar contributes about 5 cases and Saharanpur about 4. Several other districts, including Varanasi, Jhansi, Pratapgarh, Mathura and Muzaffarnagar, each contribute 2 cases. The remaining districts of Jaunpur, Fatehpur, Bhadohi, Kaushambi, Mirzapur, Agra, Hardoi, Hathras, Noida, Ghazipur, Shahjahanpur, Azamgarh and Maharajganj account for one case each.

59. It must be noted at the outset that this list of merely 105 advocates, compiled by the Bar Council of Uttar Pradesh as part of the verification exercise directed by the Hon'ble Supreme Court of India and the High Power Committee constituted for that purpose, appears to be no more than a token and superficial exercise. Given the enormous size of the enrolled advocate population in Uttar Pradesh- one of the largest in the country- the identification of only 105 advocates with fake qualifications, after a state-wide verification drive, is wholly disproportionate to the scale of the problem that realistically exists. The spread of forgeries in the State of Uttar Pradesh, the involvement of advocates enrolled over a period spanning more than three decades from 1991 to 2023, and the systematic misuse of the names of reputed universities, such as Allahabad University over such a prolonged period, all strongly suggest that the actual number of advocates practicing based on forged qualifications is far greater than what this list reflects.

60. The exercise, as it stands, appears to have been conducted in a calculated manner to give the appearance of compliance with the Supreme Court's directions rather than to genuinely identify and weed out all unqualified persons from the legal profession. A truly effective and independent verification exercise would require rigorous, document-by-document scrutiny of the educational qualifications of each enrolled advocate, verified directly from the relevant universities and educational boards, rather than a self-declaration or peer-certification-based process, as adopted under the current framework.

IX- COMPREHENSIVE EXAMINATION OF THE INFORMATION PROVIDED BY BAR COUNCIL OF UTTAR PRADESH & FINDINGS:

61. The identification of only 105 advocates with fake qualifications out of an active roll of over 5,14,000 advocates is statistically implausible and administratively unconvincing. It *prima-facie* seems the verification exercise is cosmetic. The verification process has been based on self-declaration and peer certification, without any effective, results-oriented independent cross-checking with universities or educational boards. It is done, but not on a scale required in a State like Uttar Pradesh. The Uttar Pradesh Bar Council's verification rules permit photostat copies of documents and rely heavily on Bar Association certification, creating enormous scope for collusion and continued fraud. The entire exercise appears to be designed to demonstrate compliance with the Supreme Court's directions rather than genuinely cleanse the profession.

62. The admission that no police verification is conducted at the time of COP issuance reveals a fundamental and inexcusable gap in the regulatory framework. Unlike other regulated professions- medicine, teaching, accountancy, civil services- where character verification and criminal antecedent checks are mandatory prerequisites. The legal profession in Uttar Pradesh has no such safeguard and proper mechanism at the point of entry. There is structural absence of entry-level scrutiny in the entire process of registration. This structural vacuum has been deliberately maintained or negligently perpetuated over decades.

63. The Bar Council of Uttar Pradesh has demonstrated a consistent pattern of institutional paralysis. Disciplinary proceedings against 98 advocates and special committee proceedings against 23 advocates were halted following the dissolution of the disciplinary committees due to elections. This trend exposes a critical flaw: the entire disciplinary machinery is committee-dependent, meaning elections- which occur periodically- effectively grant a clean slate to all pending proceedings against criminal and fake advocates. This is an institutionally untenable position.

64. The internal administrative affairs of the Bar Council of Uttar Pradesh are conducted by members elected from amongst advocates themselves. Over a period of time, this self-regulatory framework has revealed certain inherent structural flaws, chief among them is the absence of any accountability. Under the guise of *'independence,'* unregulated, self-interested factions and power-broking lobbyists have emerged within the body, operating with little institutional accountability. Such a trajectory does not bode well for the future of self-regulating professional institutions. One more point. It is not only in Bar Associations but almost in all self-regulated institutions, that such inherent flows have been observed over a period of time.

65. The list of fake-degree advocates includes individuals enrolled as far back as 1991 and 1992. This means the Bar Council of Uttar Pradesh failed to detect forged qualifications since 1991. During this entire period, these individuals appeared in courts, filed vakalatnamas, addressed judges, and participated in the administration of justice- all without any legal right to do so. Every order passed in proceedings in which such advocates appeared is potentially tainted and amounts to fraud against the institution, and thus detrimental to the administration of justice.

66. The fact that the Bar Council had to write to Police Commissioners and District Judges to obtain information about advocates with criminal cases- information that should have been available with the Bar Council itself through its own enrollment records and mandatory disclosures- reveals that the self-disclosure mechanism in the enrollment forms is completely non-functional. Advocates with criminal backgrounds routinely conceal this information at the time of enrollment, and the Bar Council has no independent mechanism to verify such facts. This fact is more than sufficient to substantiate the fact of existence of a nexus between criminal advocates and the local administration, since, despite the undertaking given by the SSP of each District, complete information has not reached to this Court.

67. The concentration of fake-degree advocates in Prayagraj (49 cases)- the very city that hosts the Bar Council's own office and the Allahabad High Court- is not coincidental. It suggests the existence of an organized networks, that facilitate fraudulent enrollments in the shadow of the highest judicial institution in the State, emboldened by decades of impunity and institutional negligence.

68. The COP verification exercise is inextricably linked with the voter list for Bar Council elections, as COP holders constitute the electorate. This creates a fundamental conflict of interest- the Bar Council, whose members are elected by advocates, has an institutional incentive to enroll and retain as many advocates as possible, including those with questionable credentials, since each one of them represents a potential vote. A rigorous verification drive that has the potential to remove a large number of fake advocates from the roll directly threatens the electoral interests of sitting Bar Council members; therefore, it seems such drive has not been undertaken.

X- OBSERVATION AND FINDINGS EMERGED FROM THE AFFIDAVIT OF DEPUTY REGISTRAR, REGISTRAR OF FIRMS, SOCIETIES AND CHITS, LUCKNOW, UTTAR PRADESH:

69. In compliance with the successive directions of this Court, the Deputy Registrar of Firms, Societies & Chits filed two compliance affidavits- one dated 13.01.2026 and another dated 16.02.2026.

70. This Court notes with concern that the affidavits of the Deputy Registrar, UPRFSC, reveals that the office of the Registrar of Firms, Societies & Chits operates without any effective regulatory mechanism to oversee the affairs of societies. The position, as disclosed in the affidavits, is as follows: the UPRFSC office is a passive repository that receives documents and registers societies, but exercises no supervisory or regulatory functions, unless it receives a formal written complaint from a member or an office-bearer. The office does not, of its own motion, inquire into the functioning of any society, does not verify compliance with bye-laws, and does not monitor elections or the conduct of office bearers. It's observed that there is an absence of a proper regulatory mechanism, and UPRFSC has thus evolved its own procedure in disregard of the Uttar Pradesh Societies Regulation Rules, 1976.

70.1 The affidavit filed by the Deputy Registrar, UPRFSC, deserves careful examination. The following admissions of the deponent are of special significance and call for specific analysis and proper adjudication by this Court:

First, the deponent concedes that the powers under the various provisions of the Societies Registration Act, 1860, are not available to the Registrar for *suo-motu* exercise. This is factually incorrect as a matter of law. The Acts with U.P. State Amendments (as amended up to) do not prohibit *the suo-motu* exercise of powers; indeed, Sections 22, 23, 24 & 25, substituted by the Uttar Pradesh State Amendment Act, and related provisions confer on the Registrar broad supervisory jurisdiction. The deponent's interpretation that the Registrar is restricted to complaint-based action is an administrative construction, that has no statutory basis and has been adopted as a matter of convenience rather than legal compulsion.

The Uttar Pradesh State Amendments to the Societies Registration Act, 1860 confer wide, *suo-motu* supervisory powers on the Registrar over registered societies. Conjoint reading of Sections 22(1), 23 and 24 empowers a graded regulatory mechanism- calling for information, compelling audited accounts, and finally inspection and investigation-enabling the Registrar to check mismanagement and ensure that a society functions in furtherance of its stated objects.

Second, the deponent has stated that taking *suo-motu cognizance of societies may lead to misuse by* subordinate officers and result in litigation. This reasoning is plainly untenable. If the possibility of misuse by subordinate officers were a valid ground for non-exercise of statutory powers, then no regulatory authority in this country would ever act against wrong doers.

Third, the Societies Registration Act, 1860, lays down the procedure for the registration and operation of societies in India. Even after 166 years since the enactment of the Act, and nearly 80 years after independence, the offices entrusted with implementing this statutory framework still lack permanent institutional premises. The deponent informed that only 2 of the 15 offices of the UPRFSC operate from government buildings, while the remaining 13 operate from rented premises. While the deponent has sought to downplay the significance of this fact, this Court notes that the absence of permanent, identifiable government premises for 13 out of 15 offices raises serious questions regarding the physical accountability, accessibility, and institutional permanence of offices that serve as the primary points of contact between societies and the State regulatory framework.

Fourth, the deponent's reliance on the argument that, since most societies function without dispute, *suo-motu* intervention is not appropriate is a circular and question-begging argument. It is precisely because there is no monitoring mechanism with the department and the absence of registered disputes cannot be taken as indicative of compliance. The absence of a complaint may indicate nothing more than a lack of awareness or the absence of the means to register complain.

The non-traceability of records of 25 societies is not a minor clerical matter. These 25 societies are claimed by the Bar Council to be affiliated associations performing representative functions for practicing advocates. Their missing registration records raise the question of whether they were ever legally registered, whether their registrations have lapsed without cancellation, or whether there has been a failure of record-keeping on the part of the UPRFSC.

71. The division-wise data submitted by the Deputy Registrar discloses that the total number of societies registered with the UPRFSC across the State is 6,72,069- six lakh seventy-two thousand and sixtynine. The division-wise breakdown reveals the following significant points:

71.1 Lucknow district records 36,663 registered societies, and Prayagraj district alone records 31,708 registered societies. The sheer scale of 6,72,069 registered societies across the State, regulated by a department with only 15 offices (13 of which are in rented premises) and lacking a proactive regulatory mechanism, presents an alarming picture of administrative in-governability.

71.2 Of these 6,72,069 registered societies, cancellation action has been taken in respect of merely 25 societies under Section 12-D(1)(a) and 36 under Section 12-D(1)(b) of the Societies Registration Act, 1860 - a combined total of 61 cancellations. This negligible cancellation rate is not indicative of general compliance; rather, it indicates the near-total absence of regulatory scrutiny.

72. The affidavit of 16.02.2026 discloses that in the Kanpur, Bareilly, Meerut, Ghaziabad, Azamgarh, Agra and Prayagraj Divisions, *inter-se* disputes are pending between the office bearers of Bar Associations in 16 cases. The pendency of these disputes before the UPRFSC may not be significant, but it demonstrates that the elections among the office bearers within Bar Associations have been contested properly, and the regulatory mechanism has not been able to resolve these disputes, arising out of the elections, expeditiously. The 16 pending disputes depicts a grim picture where the very governance structures of Bar Associations are in question, and the legal profession itself is marked by internal feud and contestation over office.

XI- DISCREPANCIES BETWEEN COMPLAINTS RECEIVED BY WAY OF LETTERS AND E-MAILS AND THE DETAILS CONTAINED IN POLICE AFFIDAVITS REGARDING ADVOCATES HAVING CRIMINAL ANTECEDENTS:

73. During the course of the hearing, an intervention application came to be filed on behalf of an aggrieved person, aggrieved by the misconduct of an Advocate involved in dozen of criminal cases. In addition, this Court received nearly fifty letters and e-mails from litigants and aggrieved persons complaining against advocates with criminal antecedents. Moreover, on every date of hearing, and throughout the pendency of these proceedings, around 25-30 members of the general public approached the Court to inquire about the status of the grievances which some of them had raised through such letters and e-mails. This sufficiently reflects that the issue seized before this Court is one of public importance, and that a large section of society has been aggrieved and victimized at the hands of advocates having criminal antecedents.

74. On the basis of the e-mails and letters received against advocates across the state, it is manifestly clear that the police have not furnished complete details of the advocates involved in criminal activities. Either the police do not have the record, or they may be unwilling to share it owing to a perceived nexus between advocates and the police at the local level. In either event, the situation is grim. This Court has on record an undertaking by all SSPs and SHOs of Uttar Pradesh that nothing material has been concealed and that complete information available on public record has been furnished to the Court. This Court, if the situation warrants, may initiate contempt proceedings against the erring SSPs and SHOs at the first instance, but refrains from doing so in the circumstances noted above, and affords one further opportunity to the police to work more diligently and sincerely and to produce all details before the Court as and when required, and directed to do so.

XII- FINAL FINDINGS AND CONCLUSIONS:

75. This Court has heard the matter at length. It has carefully examined the material placed on record, including the letters dated 14.12.2025 and 18.12.2025 issued by the Secretary, Bar Council of Uttar Pradesh, the list of 105 advocates found to have fake and forged educational qualifications during the Certificate of Practice verification exercise, and the statistical data pertaining to the enrolled advocates on the roll of the Bar Council of Uttar Pradesh. The material on record reveals a state of affairs that strikes at the very foundations of the legal profession and the administration of justice in this State, and which demands immediate, firm, and unambiguous judicial intervention.

76. It has emerged from the record that out of a total enrolled strength of 5,37,921 advocates on the roll of the Bar Council of Uttar Pradesh, as on date, the net active strength, after excluding deceased, surrendered, and transferred advocates, stands at 5,14,439. Of these, as many as 4,157 advocates are facing a staggering total of 5,056 criminal cases and are accused in multiple cases involving heinous offences.[8]

77. Simultaneously, the COP verification exercise has unmasked 105 advocates, who secured enrollment based on fake and forged educational qualifications- degrees of LL.B., Graduation, B.A.LL.B., Intermediate, High School, and BCA- spanning enrollment years from 1991 to 2023, meaning thereby, that some of these individuals have been masquerading as advocates in the courts of this State for over three decades. The Secretary, Bar Council of Uttar Pradesh, has further acknowledged in the letter dated 18.12.2025 that at no point of time during the issuance of Certificates of Practice was any police verification of the character or criminal antecedents of advocates conducted, nor does any provision for such verification presently exists under the applicable rules.

78. There is considerable legal substance in the submissions advanced by the learned *Amicus Curiae* to re-emphasize the fact that Article 235 of the Constitution of India, which vests in the High Court, the power of control over the district judiciary, is not confined merely to matters of posting, transfer, and promotion of judicial officers. It extends to the regulation of all affairs that bear upon the dispensation of justice in the district courts. This control necessarily encompasses judicial scrutiny of professional and other misconduct of Advocates, where such misconduct has a direct bearing on the functioning of the trial courts, more

8 On the basis of the emails and letters received from the litigants and public-spirited persons, it has emerged that this number is tentative, as the complete data has not been placed before this Court.

particularly in cases where an Advocate is involved in a series of criminal cases while simultaneously holding office in Bar Associations.

79. The Hon'ble Supreme Court in *R.K. Anand (supra)* has authoritatively held that the power of the Court to deal with the misconduct of an Advocate is not displaced by the disciplinary jurisdiction of the Bar Council under the Advocates Act, 1961. The two jurisdictions operate in distinct fields: while the Bar Council exercises disciplinary control over professional misconduct in general, the Court retains an independent power to protect the administration of justice and the purity of court proceedings, including the power to bar an Advocate from appearing before it. Viewed in this light, the High Court, as the constitutional guardian and custodian of the district judiciary, cannot remain a mute spectator when an Advocate's conduct corrodes the very stream of justice it is duty-bound to keep unsullied.

80. The Supreme Court in *Mahipal Singh Rana, Advocate v. State of Uttar Pradesh*[9], after having placed reliance upon *Pravin C. Shah v. K.A. Mohd. Ali*[10], and *Ex-Capt. Harish Uppal v. Union of India*[11] held, *inter alia,* that the right of an Advocate to appear in court is subject to compliance with the conditions laid down by the courts, just as the right to practice outside the courts is subject to the conditions laid down by the Bar Council of India. There is, therefore, no conflict or clash between the disciplinary power of the Bar Council and the control exercised by the courts over Advocates appearing before them.

81. This distinction is clearly brought out by the difference in the language of Section 49 of the Advocates Act, 1961, on the one hand, and Article 145 of the Constitution of India and Section 34(1) of the Advocates Act, 1961 on the other. Section 49 of the Act, 1961 merely empowers the Bar Council of India to frame rules laying down the conditions subject to which, an Advocate shall have a right to practice. Article 145 of the Constitution, however, empowers the Supreme Court to make rules regulating the practice and procedure of the Court,

9 (2016) 8 SCC 335
10 (2001) 8 SCC 650
11 (2003) 2 SCC 45

including, *inter alia*, rules regarding persons practicing before it. Similarly, Section 34(1) of the Advocates Act empowers the High Court to frame rules laying down the conditions subject to which an Advocate shall be permitted to practice in the High Court and the courts subordinate thereto.

82. A conjoint reading of Article 145 of the Constitution and Section 34 of the Advocates Act, 1961 makes it manifestly clear that an Advocate has no absolute right to appear in a court; the right to appear and conduct cases is always subject to such conditions as the court may impose in the interest of the administration of justice.

83. Pamidighantam Sri Narasimha, J., speaking for the Bench in ***Ajay Vijh v. Indian Banks Association & Others***[12], emphasized that accountability is equally necessary for professional regulatory institutions whose functioning directly affects access to justice and public confidence in the legal system. While directing an objective assessment of the disciplinary framework governing Advocates' misconduct, the Court held that a meaningful evaluation of the existing disciplinary machinery requires the participation of multiple stakeholders, including representatives of litigants, experts in public administration, data-analysis professionals, and individuals with experience in institutional reform. Such diversity in composition, the Court observed, is necessary to ensure both efficiency and objectivity, and plurality in the constitution of the evaluating body that would enable the regulators to avoid institutional blind spots.

84. This Court finds it deeply troubling, that the legal profession- which is constitutionally and statutorily entrusted with the solemn duty of assisting the administration of justice and upholding the rule of law- has been permitted to be infiltrated by elements that are fundamentally incompatible with those obligations. Advocates, who are accused of heinous criminal offences in multiple cases, and individuals, who have procured their enrollment through forgery and fabrication, cannot be permitted to continue to practice in courts of law under the protective

12 Ajay Vijh v. Indian Banks Association & Others, 2026 SCC OnLine SC 1295; Para-48

umbrella of professional enrollment. The presence of such persons in the legal profession does not merely bring the Bar into disrepute- rather it actively subverts and corrupts the administration of justice that this Court is constitutionally bound to protect and preserve.

85. The Bar Council of Uttar Pradesh, which is the statutory guardian of the professionals under the Advocates Act, 1961, has demonstrated a pattern of institutional paralysis in addressing this crisis. The disciplinary proceedings initiated against 98 advocates and the special committee proceedings against 23 advocates- themselves a wholly inadequate response to the scale of the problem- were allowed to lapse upon the dissolution of Bar Council committees consequent to the issuance of the election notification dated 10.11.2025. The complete absence of any mechanism for continuity of disciplinary proceedings independent of the electoral cycle of the Bar Council reflects a structural deficiency that this Court cannot ignore, and it needs to be regulated.

86. It is a well-settled principle of law that the right to practice as an advocate, while important, is not an absolute right, and is subject to the regulatory framework prescribed under the Advocates Act, 1961, and the rules framed thereunder. The Supreme Court of India has consistently held that the Bar Council is duty-bound to maintain the purity, integrity, and dignity of the legal profession, and that enrollment obtained through fraud or misrepresentation confers no right whatsoever upon the person so enrolled. It is equally settled that an advocate who is accused of heinous criminal offences, and whose continued presence in the profession is prejudicial to public interest and the administration of justice may be subjected to appropriate regulatory action parallel to pending conclusion of criminal proceedings against him.

87. This Court is further of the considered view that the verification exercise conducted by the Bar Council of Uttar Pradesh, which has yielded the identification of a mere 105 advocates with fake qualifications out of an active roll of over five lakh advocates, is *prima facie* an exercise that falls grossly short of the rigour, independence, and comprehensiveness that the directions of the Supreme Court of India warranted. A self-declaration-based, peer-certified process, conducted without direct verification with the concerned universities or educational boards and without any police verification, cannot be considered a credible or complete verification exercise. This Court has no hesitation in observing that the problem of fake advocates on the roll of the Bar Council of Uttar Pradesh is, in all probability, is far more extensive than the figures disclosed in the material placed before me.

88. The continued presence of Advocates allegedly linked with organized crime raises a serious institutional concern and may be indicative of a Bar Council that has, in some measure, been rendered ineffective in regulating such conduct. It is generally understood, from the biographies and recorded histories of organized crime, that such activity tends to flourish where it receives protection and support, whether from the administration or, on occasion, from certain quarters connected with the justice delivery system, whether at the level of the constitutional courts or the district judiciary. Experience also suggests that such elements are checked only where there exists the political executive's will to do so. It would not be inappropriate to observe that, where Advocates with alleged links to organized crime appear to enjoy disproportionate influence relative to their professional standing, such protection or institutional patronage may well be a contributing factor.

89. A related observation, which has a bearing upon the issue at hand in a larger context, may also be made. It has come to this Court's notice, during visits to the District Courts, that certain Bar Associations are known locally by names denoting particular *'hegemonic social groups'*[13]. It has further been observed that, in many instances, the office-bearers of a Bar Association are predominantly drawn from a single dominant segment of the society.

90. This Court does not intend to cast aspersions on social character and behavioral aspect of any group. However, a point of principle must

13 The term derives from hegemony (Greek *hēgemonia*, "leadership" or "dominance"), and its modern sociological sense owes much to the Italian thinker ***Antonio Gramsci (1891-1937)***, who used "cultural hegemony" to describe how a ruling class maintains dominance not just by force or law, but by making its own worldview appear to be common sense that everyone accepts.

be stated. Institutions of the law are not mere gatherings of individuals pursuing private ends. They are the living form of a society's ethical life. Through them, citizens recognize one another as equal bearers of rights and aspire to mutual recognition.

91. When a professional body organizes itself along lines of social identity rather than merit and collective brotherhood, the harm is not limited to those left out. Such a body withholds due recognition from fellow members of the profession and from the litigating public. In doing so, it diminishes itself. An institution that recognizes only some people loses the universal standing on which its own authority rests. The capture of an institution predominantly by one section of a society is not merely an irregularity. It is a contradiction of the institution's own foundation. Left unchecked, it injures the very body that practices it.

92. The concentration of power in the hands of one structurally privileged group, when protected by administrative and regulatory institutions, breeds, encourages, and creates a conducive atmosphere for organized crime. Where a single group of social elites commands the levers of institutional authority, the ordinary checks that restrain unlawful conduct begin to fail. Complaints against members of the dominant group are diluted or ignored, then the investigations by regulatory authorities lose their independence, and enforcement becomes selective, and ineffective. Those who share in the group's power come to expect protection rather than accountability, and this expectation of impunity is the seed-bed of organized crime.

93. Criminal networks do not flourish in a vacuum; they flourish where institutional shelter is available. When administrative institutions extend such shelter along lines of social affiliation, they cease to be neutral instruments of the law and become instruments of the group that has captured them. The harm is twofold. First, the victims of organized crime are denied an effective remedy. Second, and more corrosively, the public loses faith in the institutions' impartiality. A society in which protection depends on belonging, rather than on right, has already surrendered the foundation of the rule of law.

94. This Court has made similar observations in earlier orders. It is appropriate to reiterate them to promote equity and the rule of ***'good conscience'***[14]. Institutions that allow social affiliation to override merit stray from the constitutional vision of an inclusive and developed nation marked by brotherhood. That vision, properly understood, demands that every citizen be recognized fully and equally within the institutions of public life. It is hoped that such tendencies to allow social affiliation override effective representation, wherever found, shall be consciously discouraged. The Bar, the judiciary, and the institution of justice must remain what they are meant to be- *the common possession of all, and the partial possession of none.*

95. The plenary and inherent powers now exercised by the High Courts under Articles 226 and 227 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973) can trace their historical lineage to the Regulating Act, 1773 (13 Geo. III C. 63). That Act authorized the Crown to erect and establish, by Charter or Letters Patent, a Supreme Court of Judicature at Fort William in Bengal, with full power and authority to exercise and perform all civil, criminal, admiralty and ecclesiastical jurisdiction.

96. Pursuant to that Act, a Charter was issued on the 26th March, 1774, establishing the Supreme Court of Judicature at Fort William, upon which the Mayor's Court at Calcutta ceased to function. That Court continued to function until the establishment of the High Court at Calcutta in 1862, under Letters Patent issued pursuant to the Indian High Courts Act, 1861, whereupon the jurisdictions of the Supreme Court as

14 **Good conscience**- most often encountered in the composite phrase *"justice, equity and good conscience"*- denotes a standard of decision-making rooted in fundamental fairness, honesty, and moral rectitude, invoked where no statute, binding precedent, or established custom governs the matter at hand. It signifies what a fair-minded and upright person would regard as just and morally right in the circumstances, untainted by fraud, oppression, unfair advantage, or sharp practice. A rule of good conscience, therefore, is one which a court applies not because any positive legal command so requires, but because ordinary notions of fairness and rectitude themselves demand it- the court acting as an honest conscience would, refusing to countenance that which is unconscionable.

well as of the *Sudder Dewanny* and *Sudder Nizamat Adawlats* became vested in the new High Court. By the Charter of 1774, the Supreme Court was constituted a court of record with wide civil, criminal, admiralty and ecclesiastical jurisdiction and, significantly, was empowered to superintend the Courts of Requests, the Justices of the Peace and the Courts of Quarter Sessions, and to issue the prerogative writs of mandamus, certiorari, procedendo and error- the very species of writs, and the very power of superintendence, which today find constitutional expression in Articles 226 and 227 of the Constitution of India.

97. The Charter of 1774 also constituted the Supreme Court, a Court of Equity, empowered to administer justice according to the rules and proceedings of the English High Court of Chancery, and it required the Court, in the classical language of the time, to *'give and pass judgment and sentence according to justice and right'*- words which, from the days of the Mayor's Court, were understood to mean the English Common Law and the rules of Equity. The allied principle of 'justice, equity and good conscience', enjoined upon the Company's Mofussil Courts by Regulation, came to be reflected in Clause 21 of the Letters Patent of 1865, which required the High Court, in the exercise of its appellate jurisdiction, to apply the law, equity and rule of good conscience which the court of first instance ought to have applied.

98. It is this twin foundation- justice and right- that survives in the modern conception of the High Court as not merely a court of law but a court of justice. On the criminal side, Section 528 of the BNSS, 2023 (Section 482 of the Cr.P.C., 1973, originally Section 561-A of the Code of 1898, inserted by the Code of Criminal Procedure (Amendment) Act, 1923) not only preserves this pre-existing inherent power to give effect to orders passed under the Code, but also to prevent abuse of the process of any court and to secure the ends of justice. A rule resting on the maxim ***quando lex aliquid alicui concedit, concedere videtur id sine quo res ipsa esse non potest***- When the law confers a right, it is understood to confer all the powers and means necessary to exercise, enforce and enjoy that right.

99. There are 75 districts in the State of Uttar Pradesh, and correspondingly 75 District Courts, one in each district. Each district also has subordinate courts at the tehsil level (Civil Judge/ JMFC courts) and Gram Nyayalayas established under the Gram Nyayalayas Act, 2008. All such courts collectively form the district judiciary of each district.

100. The foremost difficulty in proceeding with these cases before the concerned district courts is the professional and social influence that advocates, as officers of the court, exercise within their home district. This influence- over witnesses, complainants, police officials, court staff, and in some cases junior judicial officers- poses a serious impediment to a fair trial and to substantial progress in the proceedings. The principle that justice must not only be done but must manifestly appear to be done demands that these proceedings be insulated from such influence.

101. In view of the foregoing, and in light of the gravity of the situation disclosed by the material on record, this Court is of the firm opinion that the continuation in practice of advocates who are accused in criminal cases involving heinous offences (the offences in which a sentence of more than 7 years have been prescribed, except matrimonial and other incidental family disputes- both criminal and civil) poses a clear threat, and presents a serious danger to the administration of justice, to the litigants who appear before the courts of this State, and to the public at large. The suspension of the enrollment of such advocates pending the conclusion of the criminal trials against them is not a punitive measure, but a necessary and proportionate regulatory intervention in the larger public interest and to preserve the integrity of the administration of justice.

102. Accordingly, this Court, in exercise of the plenary jurisdiction vested in it under Article 227 read with Article 226 of the Constitution of India, and further read conjointly with Section 447 of BNSS, 2023 to uphold the rule of law and to ensure the proper administration of justice by the courts and tribunals within the territorial jurisdiction of the State of Uttar Pradesh, hereby issues the following directions.

XIII- DIRECTIONS FOR THE REGISTRAR GENERAL OF THIS COURT:

103. For the issuance of such directions, this Court evolved a mechanism for transferring all criminal cases registered against Advocates from the district of their practice to a geographically proximate, but professionally insulated transferee district, based on certain principles.

First Principle: All criminal cases registered against any advocate enrolled in a district bar association shall be transferred *en bloc* from the courts of that district (including tehsil courts and Gram Nyayalayas) to the courts of a designated transferee.

Second Principle: The transferee district shall be at a distance of not more than 100 km from the home district of the advocate. This distance ensures that the advocate's professional network and personal influence do not extend materially to the transferee district. While carving out the principle of 100 kilometers, it has been kept in mind that the Advocates involved, as well as the witnesses in criminal cases, should not face any hardship, and that the distance should not become an impediment in defending the cases. At the same time, the need for effective dispensation of justice has also been kept in view.

Third Principle: The transferred cases shall be assigned to a designated court in the transferee district under the general supervision of the District Judge of the transferee district.

Fourth Principle: The transfer mechanism shall operate reciprocally, i.e., cases from District A transferred to District B, and cases from District B transferred to District A, to avoid overloading any single court.

Fifth Principle- The transferring court (home district) shall retain jurisdiction to initiate contempt action under the Contempt of Courts Act, 1971, in case of obstruction of the transfer process.

Sixth Principle- The transfer shall be effected in all the cases, in which the advocates/accused(s) are involved in cases involving heinous offences wherein a sentence of more than 7 years has been prescribed, ***except*** matrimonial and other incidental family disputes- both criminal and civil, arising out of family feud.

Seventh Principle- This arrangement has been made initially for the next five years as a pilot project. The suitability and otherwise success ratio shall be examined after the expiry of every five years for the purpose of maintaining discipline, relevance, and propriety of the legal profession.

104. The Registrar General of this Court is hereby directed to issue a notification effectuating the hereinafter mentioned arrangements within 30 days after receipt of a copy of this order. A copy of such notification shall be sent to all the District Judges and the DGP to give effect to the terms of this order. The following table sets out all 74 functional District Courts of Uttar Pradesh, with the designated transferee districts:

Sl. No.	Home District (A)	Transferee District (B)
1.	Agra	Mathura
2.	Aligarh	Hathras
3.	Ambedkar Nagar	Sultanpur
4.	Amroha	Sambhal
5.	Auraiya	Jalaun
6.	Ayodhya	Basti
7.	Azamgarh	Mau
8.	Baghpat	Meerut
9.	Bahraich	Gonda
10.	Ballia	Ghazipur
11.	Balrampur	Shravasti
12.	Banda	Mahoba
13.	Barabanki	Lucknow

14.	Bareilly	Pilibhit
15.	Basti	Ayodhya
16.	Bhadohi	Jaunpur
17.	Bijnor	Muzaffarnagar
18.	Budaun	Kasganj
19.	Bulandshahr	Hapur
20.	Chandauli	Varanasi
21.	Chitrakoot	Kaushambi
22.	Deoria	Kushinagar
23.	Etah	Firozabad
24.	Etawah	Mainpuri
25.	Farrukhabad	Shahjahanpur
26.	Fatehpur	Raebareli
27.	Firozabad	Etah
28.	Gautam Buddha Nagar	Ghaziabad
29.	Ghaziabad	Gautam Buddha Nagar
30.	Ghazipur	Ballia
31.	Gonda	Bahraich
32.	Gorakhpur	Sant Kabir Nagar
33.	Hamirpur	Kanpur Dehat
34.	Hapur	Bulandshahr
35.	Hardoi	Kannauj
36.	Hathras	Aligarh
37.	Jalaun	Auraiya
38.	Jaunpur	Bhadohi
39.	Jhansi	Lalitpur
40.	Kannauj	Hardoi
41.	Kanpur Dehat	Hamirpur
42.	Kanpur Nagar	Unnao
43.	Kasganj	Budaun
44.	Kaushambi	Chitrakoot
45.	Kushinagar	Deoria
46.	Lakhimpur Kheri	Sitapur
47.	Lalitpur	Jhansi
48.	Lucknow	Barabanki
49.	Maharajganj	Siddharthnagar

50.	Mahoba	Banda
51.	Mainpuri	Etawah
52.	Mathura	Agra
53.	Mau	Azamgarh
54.	Meerut	Baghpat
55.	Mirzapur	Sonbhadra
56.	Moradabad	Rampur
57.	Muzaffarnagar	Bijnor
58.	Pilibhit	Bareilly
59.	Pratapgarh	Prayagraj
60.	Prayagraj	Pratapgarh
61.	Raebareli	Fatehpur
62.	Rampur	Moradabad
63.	Saharanpur	Shamli
64.	Sambhal	Amroha
65.	Sant Kabir Nagar	Gorakhpur
66.	Shahjahanpur	Farrukhabad
67.	Shamli	Saharanpur
68.	Shravasti	Balrampur
69.	Siddharthnagar	Maharajganj
70.	Sitapur	Lakhimpur Kheri
71.	Sonbhadra	Mirzapur
72.	Sultanpur	Ambedkar Nagar
73.	Unnao	Kanpur Nagar
74.	Varanasi	Chandauli

XIV- OPERATIVE DIRECTIONS:

104.1 All such cases, irrespective of the stage of trial, shall be transferred from the courts of the home district (including District Courts, CJM/ACJM courts, JMFC courts, and Gram Nyayalayas) to the courts of the designated Transferee District as per the table given above.

104.2 Upon transfer, the District Judge of the transferee district shall assign the cases to the corresponding court. In case, an independent and non-official witnesses face any difficulty in reaching the transferee court, it shall be the responsibility of the prosecution department to make suitable arrangements to ensure their presence during the course of trial.

104.3 The Superintendent of Police/Joint Director (Prosecution) of the home district shall, immediately upon issuance of the notification by the Registrar General of this Court, promptly transmit all relevant police records, such as case diaries and charge-sheets, to the Prosecution Officer of the corresponding court in the transferee district, so as to facilitate the transferred proceedings and avoid any delay in conducting trial and imparting justice to the parties concerned.

104.4 The transferee Court shall not allow an application for personal exemption as a matter of course. Every such application shall be considered only after recording reasons and upon perusal of the material documents annexed in support of the grounds stated therein. Where an accused files successive applications for personal exemption, no further such application shall ordinarily be entertained. In such circumstances, the Court may proceed by forfeiting the bail bonds, taking the accused into custody, and adopting such measures as may be necessary to conclude the trial at the earliest. The District Judge shall supervise that no such exemption application is allowed by merely writing ***'Sweekrit'*** by the court concerned on the left-hand margin of the order-sheet; if any such instance is found, it shall constitute sufficient material for the District Judge to record an adverse entry against the column of competency in the Annual Confidential Report (ACR) of the judicial officer concerned.[15]

XV- REPORTING AND INFORMATION-SHARING MECHANISM:

105. The Commissioner of Police/S.S.P. of each district shall ensure that, immediately upon **(i)** registration of an FIR against an Advocate, and **(ii)** filing of the Final Report/charge-sheet upon completion of investigation, intimation at both stages is sent forthwith to the District Judge and the Chief Judicial Magistrate, with a copy to the Joint Director (Prosecution), who shall, in turn maintain a separate dedicated register

15 It has been observed by this Court that, in the District Courts, the learned Judges- despite repeated and specific directions of this Court- invariably allow applications for personal exemption by endorsing the word ***'Sweekrit'*** in the left-hand margin of the order sheet.

for this purpose. The Commissioner of Police/S.S.P. shall further ensure that a copy of every such FIR is also sent to the office of the Secretary, Bar Council of Uttar Pradesh, for necessary action. The S.H.O. concerned shall maintain a separate register to give effect to this direction.

106. Every judicial officer who, in the course of judicial work, encounters a case involving an Advocate shall immediately inform the District Judge and the Chief Judicial Magistrate of the district concerned through written communication, retaining a copy thereof in his/her office. The District Judge shall transmit the information, along with copies of the FIRs and other details, to Registrar General of this Court and the Secretary, Bar Council of Uttar Pradesh, to give effect to the directions issued herein.

107. The Director General of Police is hereby directed to forward the details of cases contained in the affidavits dated 09.12.2025 and 08.12.2025, the five volumes filed along with the affidavit dated 03.01.2026, and the two volumes filed along with the affidavit dated 15.01.2026, to the District Judges concerned and to the Secretary, Bar Council of Uttar Pradesh, so as to give effect to the directions passed by this Court.

XVI- DIRECTIONS TO THE SECRETARY, BAR COUNCIL OF UTTAR PRADESH:

108. The Secretary, Bar Council of Uttar Pradesh, is directed to take immediate and effective steps to ensure that a First Information Report is registered against each of the 105 identified advocates whose degrees have been found to be forged during verification, for the offences of forgery, cheating, and impersonation, or under any other provision of law applicable in the facts of each case. A compliance report shall be filed before this Court within 30 days after receipt of a copy of this order. The State Bar Council is a *'person aggrieved'* within the meaning of Section 38 of the Advocates Act, 1961 and has *locus standi* to file a complaint.[16]

109. The Bar Council of Uttar Pradesh is hereby further directed to initiate disciplinary proceedings henceforth pending trial against Advocates, who have been arrayed as an accused in FIR, and charge-sheeted in heinous crimes and offences to assess as to whether their conduct, involvement in criminal cases of heinous nature, comes within the purview of *'professional and other misconduct'*, and if *prima-facie* satisfied, suspend the license to practice during disciplinary proceedings'.[17]

110. First Reason for the Direction- Advocates who are habitual offenders and are involved in offences repeatedly cannot, *prima facie*, be said to bear a conduct that is *'morally good'*. Bearing good character is a mandatory requirement for a law graduate to enrol as an Advocate[18]. Therefore, in respect of the aforesaid class of Advocates, the Bar Council is under an onerous duty to initiate disciplinary proceedings and to suspend their licence to practise during the pendency of such disciplinary proceedings. The suspension of the licence to practise of any professional- doctor, lawyer, chartered accountant, etc.- is not a punishment[19], but only an aid to conduct a fair and impartial inquiry against certain set of allegations and indictments.

111. Second Reason- (i) It has long been said that the Bench and the Bar are the two wheels of the chariot of justice. The Supreme Court, in *Yatin Narendra Oza v. Suo Motu, High Court of Gujarat*[20], has recently reaffirmed that the Bar and the Bench are inextricably linked, serving as the two indispensable wheels of the chariot of justice, which must move in perfect tandem, bound by a shared devotion to uphold the rule of law, the Bar as the fearless articulator of the litigant's cause, and the Bench as

16 Bar Council of Maharashtra v. M. V. Dabholkar and Others, (1975) 2 SCC 702, Para 49
17 Advocates Act, 1961: Section 35.- Punishment of advocates for misconduct.
Section 36.- Disciplinary powers of Bar Council of India.
18 Reference: the Character Certificate of the applicant is to be attested by an Hon'ble Member of the Bar Council, or by an Advocate on the Rolls of the Bar Council of Uttar Pradesh of more than ten years' standing, certifying that the candidate bears good character and is a fit candidate for enrolment as an Advocate.
19 Reference: para 39, *Supreme Court Bar Assn. v. Union of India*, (1998) 4 SCC 409
20 2026 SCC OnLine SC 835

the custodian of the Constitution. The metaphor carries an obligation. As the Supreme Court has observed in its recent decision concerning the IBA Caution List (*per* Narasimha and Aradhe, JJ.), the Bar is not merely a stakeholder but an equal institutional partner in the administration of justice, and the health of the justice delivery system is as much the responsibility of the Bar as of the Bench.

(ii) The parity of the two wheels must, of necessity, extend to parity of standards. The Judge and the Advocate spring from the same stream: both hold the same qualification in law; both take their first steps at the Bar; indeed, the Bar is the very reservoir from which the Bench is drawn. They are, in essence, similarly situated professionals discharging different functions within the same temple of justice- one from the dais, the other from the Bar. Yet the standards of moral fitness applied to the two stand in stark contrast. A judicial officer, or a candidate for judicial office, is not permitted to hold or assume office even where a solitary criminal case stands registered against him; his character verification must be spotless, his conduct- like Caesar's wife- above suspicion, and a single blemish is sufficient to deny him entry into, or continuance in, the service. Can it then be countenanced that an Advocate- an Officer of the same Court, an equal wheel of the same chariot- may continue to practice, appear, and plead despite facing not one but a multitude of criminal cases, some of a heinous nature?

(iii) If a single wheel is held to an exacting standard of integrity while the other is permitted to run broken, bent, or off its axle, the chariot of justice cannot move; it can only lurch. When persons, who are habitual offenders continue to don the robes of an Officer of the Court, that wheel stands damaged- and it is the statutory duty of the Bar Council, as the exclusive custodian of professional discipline under the Advocates Act, 1961, to repair, and keep it in good state.

112. Third Reason- It is a settled proposition of law that an Advocate facing a criminal case cannot be called a convict until a competent court finds him guilty of an offence. However, involvement in criminal cases is a valid ground for initiating disciplinary proceedings for professional or other misconduct under Chapter V of the Advocates Act, 1961. Notably, the Chairman of the Bar Council of Uttar Pradesh set up a High Power Committee to verify the Advocates' Roll. This step was taken in accordance with a communication dated 27.09.2023 from the Bar Council of India, which referred to the Supreme Court's judgment in *Ajay Shankar Srivastava (supra).* The Bar Council of Uttar Pradesh then issued seven guidelines. The fifth guideline requires every Advocate to disclose, on affidavit, full details of criminal cases pending or decided against him, any conviction, and whether he has been declared a history-sheeter. This shows that the Bar Council of Uttar Pradesh is also aware that criminal elements have entered the Bar and intends to remove them from its Roll.

113. Fourth and the Last Reason- “The Bar is not a private guild, like that of 'barbers, butchers and candlestick-makers' but, by bold contrast, a public institution committed to public justice and *pro bono publico* service"- V.R. Krishna Iyer, J., articulated in *Bar Council of Maharashtra v. M.V. Dabholkar (supra).* Membership of the Bar is, therefore, not a private entitlement to be enjoyed on one's own terms; it is a privilege coupled with a public trust. A private guild may tolerate the delinquencies of its members as an internal affair; a public institution cannot, for every delinquent it shelters diminishes the public's faith in the institution itself.

114. For the foregoing reasons, the Secretary, Bar Council of Uttar Pradesh, is hereby further directed to inform this Court, within thirty days of receipt of a copy of this order, as to what action has been taken against the class of Advocates found involved in repeat offences. The Secretary, Bar Council of Uttar Pradesh, shall further intimate as to what legal and procedural impediments lie before the Council in treating the aforesaid class of Advocates, *prima-facie*, as persons of bad moral conduct, unless and until they are acquitted by the trial court. It must always be borne in mind that a person facing a criminal case is not entitled to be recruited, even to a Class-IV post in any government establishment. How, then, can a person facing criminal charges be permitted to espouse the cause of another accused in a court of law, in the capacity of an Officer of the Court, while enjoying the rights and privileges conferred under the Advocates Act, 1961?

115. The Bar Council of Uttar Pradesh shall conclude the disciplinary proceedings initiated pursuant to these directions expeditiously, and in any event within the period contemplated by Section 36-B of the Advocates Act, 1961, failing which the statutory consequence of transfer of the proceedings to the Bar Council of India shall follow.

116. The Secretary, Bar Council of Uttar Pradesh, shall immediately send the list of suspended Advocates to the District Judges and the Commissioners of Police/S.S.P.s concerned to ensure compliance of directions, and shall simultaneously update the State Roll and notify to all District Bar Associations accordingly.

117. Advocates who have been suspended from practice pursuant to these directions, and Advocates facing criminal cases of heinous nature, shall not be permitted to appear, act, or plead before any court/tribunal in the State of Uttar Pradesh until the conclusion of the disciplinary proceedings/trial, as the case may be. The District Judge, the District Magistrate, and the Commissioner of Police/S.S.P. of every district shall ensure strict compliance with this direction. It is clarified that this restriction shall not preclude such an Advocate from entering the court premises for the purpose of attending proceedings in which he/she is personally a party or an accused[21].

118. In order to ensure that no litigant is prejudiced by the suspension or debarment of his Advocate, the trial court/transferee court shall, in every such case, grant a reasonable opportunity to the litigant to engage another counsel of his choice, and where the litigant is unable to do so,

21 Supreme Court Bar Assn. v. Union of India, (1998) 4 SCC 409; and Para-238 of R.K. Anand (supra); Section 34 of Advocates Act, 1961- Power of High Courts to make rules.

the District Legal Services Authority concerned shall provide competent legal aid counsel, free of cost.

XVII- GENERAL DIRECTIONS AND COMPLIANCE MONITORING:

119. The District Judge, the District Magistrate, and the Commissioner of Police/S.S.P. of each district shall meet once a month (commonly referred to as a monthly meeting) to discuss and formulate a programme to give effect to the terms of this order. The minutes of every such meeting shall be drawn up and forwarded to the Registrar (Compliance) of this Court, for three months, who shall keep the reports with the record of this case. The aforesaid officers shall be personally accountable for compliance, and any non-compliance or dereliction of duty shall render them liable to proceedings in accordance with law.

120. The Registrar (Compliance) shall forward to the Director General of Police and the Secretary, Bar Council of Uttar Pradesh: **(i)** the list of 105 Advocates (notwithstanding that the Bar Council itself furnished it); and **(ii)** the letters and e-mails received from litigants and public-spirited persons, so that the Director General of Police may verify the claims made therein and proceed in accordance with law.

XVIII- RECOMMENDATIONS FOR BAR COUNCIL OF UTTAR PRADESH:

121. A comprehensive audit of the entire roll of 5,37,921 advocates may be conducted to identify fake enrollments, and ghost advocates, whose names remain on the roll. The 2,64,630 advocates who have not obtained a COP may be served with show-cause notices, and their enrollments may be reviewed a fresh by an Independent Verification Authority under the supervision and control of the Bar Council. A subordinate Independent Verification Authority may be constituted at the district/regional level, with assistance from the District Judge and the police. If such a step is taken, the District Judge and the concerned SSP are requested, as they have an obligation under the law, to cooperate in weeding out criminals amongst Advocates. The current system of committee-based verification appears to be inadequate for a roll of over five lakh advocates in a State like Uttar Pradesh.

122. The Bar Council of Uttar Pradesh may request the Bar Council of India to amend Rules on an urgent basis to make police verification of character and antecedents a mandatory prerequisite for enrollment as an advocate. This shall include verification of criminal record, pending cases, and status of the history sheet. Till such Rules are framed, the Bar Council of Uttar Pradesh may make compulsory police verification before the enrollment of an advocate by bringing necessary notification in this behalf.

Recommendations for Structural Reforms

123. The Bar Council of Uttar Pradesh shall establish a direct digital linkage with all universities and educational boards across the country, enabling real-time verification of degrees submitted by advocate applicants at the time of enrollment. The National Academic Depository (NAD) and DigiLocker platforms should be mandated for integration into the enrollment process so that only digitally verified academic credentials are accepted.

124. Every enrolled advocate shall be required to file a mandatory annual affidavit disclosing any criminal case registered, charge-sheeted, or tried against them during the preceding year. False disclosure must attract automatic suspension of enrollment. The Bar Council may cross-verify these disclosures with court records and police databases.

125. A dedicated Disciplinary Tribunal may be constituted drawing upon the principle of plurality articulated by the Supreme Court in Para 48 and 49 of *Ajay Vijh (supra)*.

126. Besides the objective stated in *Para- 84 (supra)*, the rationale for such a body also flows from an inherent conflict of interest embedded in the existing framework: the Members of the Bar Councils, who constitute the Disciplinary Committees, are elected by the very Advocates against whom disciplinary proceedings are to be conducted. An adjudicatory body whose members depend on the electoral goodwill of those they are required to discipline cannot, by its very nature, inspire full public confidence. A plural, independent, and permanent Tribunal- insulated from the electoral process of the Bar- would address this structural infirmity while preserving the fairness and objectivity that the Supreme Court has held to be indispensable to a credible disciplinary framework.

127. Section 24 of the Advocates Act, 1961, which prescribes the qualifications for enrollment, be amended to explicitly include police verification of criminal antecedents, mandatory digital verification of educational qualifications, and compulsory disclosure of any pending criminal proceedings as conditions precedent to enrollment. Section 26A shall be strengthened to enable the Bar Council to remove an advocate from the roll summarily upon discovery of forged credentials, without waiting for prolonged disciplinary proceedings. A dedicated Disciplinary Tribunal may substitute for the entire Disciplinary Committee System.

128. Bar Association Presidents and Secretaries who certify the practice particulars of advocates, as required under Form-A Column III of the verification rules[22], shall be made personally and criminally liable, where such certifications are found to be false. The current framework imposes no such liability, making the certification requirement toothless.

129. Necessary amendments may be incorporated in the Advocates Act, 1961 for judicial oversight of Bar Council functioning by the Constitutional Courts, if the legislative wing of the Government may deem it appropriate.

XIX- CONCLUDING OBSERVATIONS:

130. What emerges from a holistic reading of all the material is not merely an administrative failure but a profound institutional and moral crisis. The legal profession- whose primary obligation is to uphold the rule of law and assist the administration of justice- has in Uttar Pradesh been infiltrated by elements antithetical to everything it stands for: gangsters, mafias, and individuals, who never acquired the educational

22 Rule 8.4(iv) of BCI and Certificate and Place of Practice (Verification) Rules, 2015

qualifications that the law requires. The Bar Council, the profession's statutory guardian of integrity, has, for decades, failed in its most basic regulatory duty. The Hon'ble Supreme Court's directions, which prompted this verification exercise, have yielded results so manifestly incomplete that they raise serious questions about whether the exercise was conducted in good faith at all.

131. The Courts, being the final arbiters in a sovereign State, are duty-bound to protect, preserve, and uphold the sanctity of the rule of law and the purity of the legal profession. Even the slightest infraction in the administration of justice, if ignored, may prove fatal; it can erode the institution's relevance and pose a threat to its very existence. It is, therefore, our collective responsibility to remain sensitive, conscious, and vigilant. We exist today only because our institutions still endure.

132. Turning now to the merits of the present case, the petitioner has structured his case as follows:

132.1 The petitioner has assailed the order dated 22.03.2024 passed by the Chief Judicial Magistrate, whereby the petitioner's Complaint Case No. 523 of 2023 (12774 of 2023), *Advocate Kafeel Ahmad v. S.I. Milan Sirohi*, under Sections 499 and 500 I.P.C., Police Station Kotwali, District Etawah, was dismissed under Section 203 Cr.P.C. Aggrieved thereby, the petitioner preferred a criminal revision under Sections 397/399 Cr.P.C. before the Additional Sessions Judge, which came to be dismissed vide the impugned order dated 18.03.2025.

132.2 In brief, the facts as narrated in the complaint are that the complainant/applicant is, by profession, a respected Advocate practising in the District and Sessions Court, Etawah. A fake Case No. 23/2023, under Sections 323, 504 and 506 I.P.C., in collusion with police, was registered against him and his younger brother, Dilshad. Three days later, after procuring a fake medical examination, the police added Sections 324, 325 and 326 I.P.C. to the F.I.R. The complainant was forcibly taken from his house; his mobile phone was snatched; he was taken to Police Station Kotwali, where a sum of Rs. 4,500/- and his identity documents, etc., kept in his pocket, were snatched; he was beaten; and he and his younger brother were sent to jail, after which both secured their release on bail. Another younger brother of his, Faizan- a B.A. student and an international karate player- could not file a bail application owing to ill health, whereupon, on 01.07.2023, proceedings under Section 82 Cr.P.C. were initiated by the court against Faizan; the applicant then produced Faizan before the court on 13.07.2023.

132.3 S.I. Milan Sirohi, in relation to the order dated 01.07.2023 issued under Section 82 Cr.P.C., allegedly conducted raids at the accused's house several times; the truth, however, is that no such process was carried out, and this was done to injure the applicant's honour and dignity. Neither the applicant nor his family members were given any information about the non-bailable warrant; further, the non-bailable warrant and the processes under Section 82 Cr.P.C. were obtained by misleading the court. The proclamation issued under Section 82 Cr.P.C. in respect of his younger brother Faizan was, as per the court's order, required to be affixed at the accused's ordinary place of residence, at a public place, at the court, at crossroads, etc., and to be published in a local newspaper. The applicant has filed two complaint cases against police concerning custodial torture and loot- Complaint Case No. 146/2023, *Mohammad Kafeel v. S.I. Saurabh Singh and others*, and Complaint Case No. 515/2023, *Mohammad Kafeel v. Skand Gupta and others*- and the police, harbouring a grudge on that account.

132.4 On 06.07.2023, brushing aside the legal requirements of Section 82 Cr.P.C. and without affixing any notice at his brother Faizan's house, deliberately affixed the proclamation at the applicant's office, to the beating of drums, declaring him a proclaimed offender/absconder, with the object of defaming him- whereas the ordinary place of residence of the accused falls before (i.e., on the way to) his office. The applicant asserted that he is an Advocate by profession, and his clean image has been deliberately tarnished with malicious criminal intent: S.I. Milan Sirohi and others, in a manner contrary to law and despite his bail having been effected, depicted him as an absconding offender and affixed a notice under Section 82 Cr.P.C. at his office, whereby he was greatly defamed in society and his image was tarnished, on account of which, even today, he is unable to walk with his head held high in society and remains mentally dejected and distressed. CCTV photographs and videos of the affixing of the notice at his office were annexed with the application.

132.5 After hearing the applicant on the said application, the court, on 21.11.2023, registered the matter as a complaint; the statement of the complainant was recorded under Section 200 Cr.P.C.; and an inquiry report under Section 202(1) Cr.P.C. was called for from the Circle Officer, Nagar, Etawah. Thereafter, upon hearing the complainant, the complaint was dismissed by order dated 22.03.2024.

132.6 The complainant's case, in essence, is that proceedings under Section 82 Cr.P.C. were carried out by the opposite parties against his younger brother Faizan, and that, in the course of the said proceedings, the opposite parties, with the intention of defaming the applicant, affixed the proclamation order at the applicant's office, to the beating of drums, describing the applicant as an absconding offender, which is contrary to law. By the said act, considerable damage and defamation were caused to him in society, for which reason it was prayed that the accused persons be summoned for trial under Sections 499 and 500 I.P.C. In this connection, the complainant also got his statement recorded under Section 200 Cr.P.C. before the learned court below.

132.7 The petitioner contended that the impugned judgment has been passed ignoring the evidence available on record and is, therefore, not sustainable in the eye of law; that the revisional court, without adverting to the averments made in the complaint and the evidence under Section 200 Cr.P.C. adduced in support thereof, passed the order in a mechanical manner, which is liable to be set aside; that the court below passed the order contrary to the settled provisions of law; that the absence of sanction under Section 197 Cr.P.C. is not a valid ground for dismissal; and that both the revisional court and the Chief Judicial Magistrate erroneously relied upon a sham inquiry report prepared by the police, the contents of which could not have been looked into at that stage.

132.8 The concurrent findings of the trial court and the revisional court are consistent with the following effect. The complainant has principally alleged the tarnishing of his image and his defamation on account of the proclamation issued under Section 82 Cr.P.C. having been affixed at his office by the police force. In his statement, it has additionally been alleged that, at the time of execution of the proclamation, abuses were hurled, a beating took place, and a sum of Rs. 2,500/- was snatched from Naushad; however, no such assertion- of entering the house, hurling abuses, kicking, or the snatching of Rs. 2,500/- has been made anywhere in the complaint, from which it is apparent that the incident narrated by the complainant is, in itself, doubtful. The inquiry report under Section 202(1) Cr.P.C. is also on the original record, according to which separate cases, relating to different and distinct incidents, stand registered against the applicant, his brother, and his family members. According to the report, the incident narrated by the complainant relates to the execution of the proclamation under Section 82 Cr.P.C. by the opposite parties, who are police personnel.

132.9 The revisional court further observed that the police personnel had gone to the spot in compliance with the court's order and had carried out the necessary legal proceedings in execution of the proclamation. It appears that the revisionist/complainant has taken the legal proceedings under Section 82 Cr.P.C. personally, has associated them with himself in his personal capacity, and regards the police force as his personal adversary. The petitioner has given the colour of an "incident" to a lawful process, and is attempting, by setting such litigation in motion against the police, to build pressure upon them. The opposite parties are police employees who, in taking action in execution of the proclamation under Section 82 Cr.P.C., were discharging their public duties; and where action taken by government servants in respect of a legal proceeding is given the colour of an incident, and the complainant, with the object of exaggerating the matter and lending it gravity, resorts to litigation by narrating such an incident as a means of pre-emption and of building pressure, such a course is impermissible in law.

132.10 It has also been rightly observed that the police officials/respondent no. 2 herein fall within the category of public servants, and that compliance with the proclamations issued by a court falls within the ambit of the duties of the police. In such circumstances, the requirement of prior sanction for prosecution under Section 197 Cr.P.C. stands attracted, and, in the present case, the taking of cognizance without such sanction was rightly found to be barred.

132.11 The scope of revisional jurisdiction is well settled. The Hon'ble Supreme Court in *Amit Kapoor v. Ramesh Chander*[23] held that the revisional power is essentially supervisory in nature and is to be exercised sparingly, primarily to correct jurisdictional errors, patent legal infirmities, or material irregularities occasioning a miscarriage of justice. It is not intended to confer upon the revisional court the powers of an appellate court to reappreciate or reassess the evidence on record. Interference with concurrent or factual findings is warranted only where such findings are demonstrably perverse, manifestly illegal, or so unreasonable that they result in a failure of justice. The revisional jurisdiction, therefore, is invoked only to prevent a miscarriage of justice or to rectify an abuse of the process of the court, and not merely because another view on the evidence is possible. Mere suspicion, conjecture, or apprehension, unaccompanied by any patent illegality or perversity in the impugned order, cannot constitute a valid ground for interference in revision.

132.12 On perusal of the record placed before this Court, the admitted position which emerges is that the police officers, against whom the petitioner had filed the complaint case, had gone to his place to give effect to the order passed by the trial court. The trial court had issued a proclamation against the brother of the petitioner, who was absconding and was subsequently declared an absconder by the trial court. The act of beating a drum in the vicinity of the petitioner's residence and pasting

23 (2012) 9 SCC 460

the proclamation order thereon would not, by itself, amount to criminal defamation. On perusal of the statement of the complainant, *prima-facie,* the ingredients of Section 499 IPC are not made out.

132.13 Thus, the trial court and the revisional court, in their orders dated 22.03.2024 and 18.03.2025 respectively, have committed no error of fact or of law, nor any error relating to jurisdiction. No illegality is apparent in the impugned orders. Accordingly, the present petition is dismissed, subject to the aforesaid directions, recommendations, and observations.

XX- FURTHER DIRECTION:

133. The Registrar General shall ensure that the entire court record is scanned and kept in safe custody for future record and reference.

134. The Registrar (Compliance) shall circulate a copy of this order to all District Judges in the State of Uttar Pradesh, the Chief Secretary, the Director General of Police, the Secretary, Bar Council of Uttar Pradesh, and the Secretary, Bar Council of India, for information and compliance.

135. A copy of this order be also sent to the Chairman, Law Commission of India, and the Secretary, Legislative Department, Ministry of Law & Justice, Government of India for record, reference, and consideration.

136. List this matter before this Court on **20.08.2026**, at the end of the board, for reporting compliance. The Registrar (Compliance) shall place a consolidated compliance report before the Court on the date fixed.

CONCLUDING REMARK: One more point before I conclude the judgement. It is apposite to draw a parallel from the Mahabharata. Draupadi was disrobed by Dushasana, while King Dhritarashtra- the very authority bound to prevent the wrong- sat in passive complicity, blinded by an infatuation for his son. It is respectfully submitted that such inaction by those in authority is no less culpable than the act itself, and it was this failure that sowed the seeds of the Kurukshetra War. The epic thus stands as an eternal reminder that when those in authority remain mute spectators to injustice, the price is paid not by the wrongdoer alone but by generations and multitudes who had no part in the wrong.

June 3, 2026

Anil K. Sharma

(Vinod Diwakar, J.)