



2026:AHC:197809-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 10542 of 2026

Naresh Singh

.....Petitioner(s)

Versus

The State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Vinod Kumar Mishra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 21

HON'BLE ARINDAM SINHA, J.

HON'BLE SATYA VEER SINGH, J.

1. Petitioner, at the material time, was Chowki In-charge. He has challenged judgment dated 23rd March, 2026 of the Tribunal rejecting his claim petition.

2. Facts are, there was seizure of large quantity of explosives on 7th November, 2023 from house of one Shadab. Subsequently, on 22nd January 2024, there was explosion in the house of said Shadab. This was by reason of explosion. A concrete slab fell. Two minor children lost their lives. Charge framed against petitioner was of negligence in allowing the explosives collected, leading to the explosion. Mr. Vinod Kumr Mishra, learned advocate appears for petitioner and Mr. Sharad Chand Upadhyay, learned advocate, Standing Counsel for the State.

3. On our direction department has made English translation of impugned judgment dated 23rd March, 2026. English translation of paragraph 2 of the judgment, bearing the charge, is reproduced below.

"2. According to the facts, Opposite Party No.4, the Senior Superintendent of Police (SSP), District Muzaffarnagar, issued a show-cause notice dated 23.03.2024 to the petitioner, citing the following allegations:

"During the year 2023-24, while you were posted at Police Station

Khatoli, District Muzaffarnagar, a preliminary inquiry into facts recorded in a report dated 14.02.2024, submitted by the Superintendent of Police (city), District Muzaffarnagar, vide an order dated 19.02.2024. The preliminary inquiry confirmed that, despite the registration of Case Crime No.475/23 under Section 286 of the IPC and Section 9B(1)(A) of the Explosives Act, 1884 on 08.11.2023 at Police Station Khatoli against Rashid, 2- Aslam sons of Irshad, 3- Irshad son of Sharif, 4-Haseen alias Bhura son of Jumma, and 5-Shadab son of Shakeel, all residents of Village Kailawada, PS Khatoli, for the illegal manufacture and storage of firecrackers; and after the investigation being entrusted to Sub-Inspector Rajanlal who filed charge-sheet no.408/23 on 28.11.2023; you failed to inform higher authorities or take any action in accordance with the rules regarding the fact that the aforementioned Shadab son of Shakeel Ahmed had again started collecting and manufacturing explosives in his house following the incident of 07.11.2023. This conduct of yours demonstrates negligence towards official duty, indiscipline, and arbitrariness, which is censured."

4. Mr. Upadhyay submits, he has instructions dated 20th September, 2026 and hands it up. Petitioner's defence was, he was only Chowki In-charge and not the Investigating Officer (IO). However, after recovery of the explosives, he failed in his duty to prevent further collection, leading to the explosion. In the circumstances, negligence was proved and accordingly there was order of punishment directing censure entry. No interference is called for.

5. Apart from petitioner's stated defence that he was not IO in the case of recovery of the explosives on 7th November 2023, petitioner also took defence that he had no information whatsoever regarding collection of the explosives subsequent to the raid. We reproduce below a passage from English translation of paragraph 10 in impugned judgment, reproduced below.

"10- Thus, it is clear that the accused Shadab was common to both the incidents. Furthermore, by virtue of being an accompanying officer

(hamrahi) to the Senior Sub-Inspector in the incident dated 07.11.2023, and upon the recovery of 1,732 kg of illegal firecrackers, 176 kg of raw material, 6 kg of saltpetre (shora), and 5 kg of gunpowder from the possession of all the accused persons including the accused Shadab, the petitioner was well aware that illegal firecrackers were being manufactured by these persons. Admittedly, both the incidents dated 07.11.2023 and 22.01.2024 occurred in Village Kailawada, Police Station Khatauli, which fell under the jurisdiction of the very police outpost whereof the petitioner was the in-charge. Following the recovery of the aforesaid materials from the possession of the other accused persons including the accused Shadab on 07.11.2023, and in light of the anticipation that firecrackers and fireworks would be prepared in celebration of the consecration of the Ram Janmabhoomi Temple on 22.01.2024, it was the bounden responsibility of the petitioner to keep a strict vigil on those houses/accused persons from whose possession explosive substances, firecrackers, and manufacturing materials had previously been recovered in the large quantities. However, the petitioner failed to gather intelligence in his area in this regard, offering merely the explanation that no information regarding the manufacturing of firecrackers at Shadab's house was supplied to him at any level, whether by the accused's neighbours, family members, or the beat constable."

On query, Mr. Upadhyay is unable to show us anything from the material on record that there was some information in the Chowki regarding movement and collection of explosives on or after 7th November, 2023.

6. There was stockpiling of large quantity of explosives without detection until information was received, followed by raid and recovery. Subsequent thereto, there must have been collection of the explosives, to have caused the explosion on 22nd January, 2024. However, State has not been able to demonstrate any dereliction of duty upon some information/intelligence received regarding fresh stockpiling. The Police do act on information. Absence of information leading to omission to act cannot be termed as negligence. On top, the record bears petitioner's prompt action upon the explosion happened.

7. In view of above, impugned judgment and order dated 23rd March, 2026 is set aside and quashed with consequence of the punishment also set aside and quashed. The writ petition is allowed and disposed of.

(Arindam Sinha,J.)

(Satya Veer Singh,J.)

September 21, 2026
Irshad