



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. WRIT PETITION No. - 8631 of 2025

Shri Ramswaroop Memorial Uni. Barabanki Thru.
Its Registrar Prof. (Dr.) Neerja Jindal And AnotherPetitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
OthersRespondent(s)

Counsel for Petitioner(s)	: Amit Jaiswal Ojus Law, Ambrish Singh Yadav
Counsel for Respondent(s)	: G.A.

Court No. - 9

**HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE SYED QAMAR HASAN RIZVI, J.**

1. Heard Sri Amit Jaiswal, learned counsel for the petitioners, Dr. V.K. Singh, learned Government Advocate, who has accepted notice for opposite party no.4 and copy of the petition shall be provided to him by learned counsel for the petitioners forthwith and Sri S.N. Tilhari, learned A.G.A.

2. By means of this petition, the petitioners have prayed for the following main prayers:-

"(i) Issue a writ, order or direction in the nature of Certiorari thereby quashing the impugned First Information Report dated 03.09.2025, registered as Case Crime / FIR No.0840 of 2025, under section 318 (4), 338, 336 (3), 340 (2) of BNS, 2023, at Police Station - Kotwali, District-Barabanki, contained in Annexure No.1 to this writ petition;

(ii) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties not to arrest the petitioners in pursuance of the impugned First Information Report dated 03.09.2025, registered as Case Crime / FIR No.0840 of 2025, u/s 318 (4), 338, 336 (3), 340 (2) of BNS, 2023, at Police Station Kotwali, District-Barabanki.

(iii) Issue a writ, order or direction in the nature of Mandamus

commanding the opposite parties not to take coercive steps against the petitioner in pursuance of the impugned First Information Report dated 03.09.2025, registered as Case Crime / FIR No.0840 of 2025, u/s 318 (4), 338, 336 (3), 340 (2) of BNS, 2023, at Police Station Kotwali, District-Barabanki"

3. Attention has been drawn of this Court towards impugned FIR wherein the sole accused is University i.e. Shri Ramswaroop Memorial University, Barabanki, who is petitioner no.1 in the present writ petition. Petitioner no.2 is the Registrar of the University. The Registrar of the University is apprehending her arrest for the reason that in the garb of impugned FIR, the Investigating Officer/ Agency may take coercive action against her. However, the officers/ officials including petitioner no.2 are co-operating in the investigation. She undertakes that she shall co-operate in the investigation and all the concerned persons of the University shall co-operate in the investigation for whom the information is provided by the Investigating Officer/ Agency.

4. Sri Amit Jaiswal, learned counsel for the petitioners has further submitted that as per the impugned FIR, the University was not having valid permission/ approval for the academic years 2023-2024 and 2024-2025 for running the courses of Law, accepted the admission of the students and conducted the examination.

5. Sri Jaiswal has also stated that even if the aforesaid allegation is accepted on its face value, there may be some legal implications in the light of the Uttar Pradesh Private Universities Act, 2019 as well as Advocate Act, 1961, but for that the FIR could not have been lodged.

6. Sri Jaiswal has also drawn attention of this Court towards Annexure no.-2 which is a letter being issued by the Bar Council of India dated 03.09.2025, granting extension of provisional approval of affiliation to Institute of legal studies for imparting three years LL.B degree course and five years BBA LL.B (H) integrated degree course with intake of one section of 60 students in each course and five years BA LL.B (H) integrated degree course with intake of two sections of 60 students in each section for a period of one year i.e. for the academic year 2025-2026 and

regularizing the admission made during the academic period/years 2023-2024 and 2024-2025 subject to compliance of Rules of Legal Education, 2008.

7. Learned counsel for the petitioners has also stated that the University is running the aforesaid course of LL.B since 2013 and course of BA LL.B since since 2014.

8. The matter requires consideration.

9. Let counter affidavit be filed within a period of four weeks. Rejoinder affidavit, if any, may be filed within a period of one week thereafter.

10 List in the week commencing 10.11.2025.

11. Till the next date of listing no coercive steps shall be taken against the University and its authorities in the aforesaid FIR subject to their proper cooperation in the investigation.

12. The Investigating Agency shall intimate the opposite party no.2 about the list of concerning persons or the officials of the University, who are required to participate in the investigation within three days and those persons/officials of the University shall co-operate in the investigation. If the list of those persons is given by the University by 13.09.2025, those persons shall appear before the Investigating Officer on 16.09.2025 at 11.00 a.m. to co-operate in the investigation. The aforesaid cooperation shall remain continue till completion of investigation and filing of the police report.

13. It is made clear that if the officials of the University do not co-operate in the investigation, the interim protection granted today may be withdrawn on the next date. It is also expected from the Investigating Agency/ officials to conduct and conclude the investigation strictly in accordance with law.

(Syed Qamar Hasan Rizvi,J.) (Rajesh Singh Chauhan,J.)

September 10, 2025

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