

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 3673 of 2023

Petitioner :- Pawan Vaish And Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. U.P. Lko. And Others

Counsel for Petitioner :- Surya Kant Singh, Shubham Singh

Counsel for Respondent :- G.A., Alok Kumar Singh

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners, learned AGA who appears on behalf of State-respondents and perused the record.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Certiorari for quashing of the First Information Report dated 19.2.2023 registered as F.I.R. No. 0017 of 2023 under Sections 498A, 504 IPC and 3/4 D.P. Act, P.S. Mahila Thana, District Kheeri and for a direction to the respondent not to arrest the petitioners pursuant to the impugned FIR.

This Court has seen the mediation report dated 1.11.2023. The mediation has failed between the parties.

From a perusal of the prayer clause and the first information report, this Court finds that all the offences of which the petitioners are accused carrying maximum punishment of less than seven years .

Accordingly, we **dispose of** this petition giving the benefit to the petitioners of a Judgement of Hon'ble Supreme Court rendered in the case of **Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273.**

Order Date :- 24.11.2023

AKK