

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4795 of 2023

Petitioner :- Rajendra Kumar And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- G.A.

Hon'ble Dinesh Kumar Singh,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

1. Heard Mr. Desh Mitra Anand, petitioner no.2 in person as well as learned A.G.A. and perused the record.

2. Under challenge in this petition is the First Information Report dated 18.5.2023 lodged at Case Crime No.195 of 2023, under Sections 504 and 384 I.P.C. Police Station Krishna Nagar, District Lucknow with some other prayers.

3. We find no reason to interfere with the FIR impugned in the present petition. However, considering the fact that the offence for which the FIR in question has been registered against the petitioners, entail punishment upto seven years, we provide that the petitioners should be given the benefit of Section 41A Cr.P.C. in the light of the directions issued by the Supreme Court in the case of ***Arnesh Kumar Vs. State of Bihar***, reported in (2014) 8 SCC 273.

4. Subject to above observation and direction, the present petition stands ***disposed of.***

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(Syed Qamar Hasan Rizvi,J.) (Dinesh Kumar Singh, J.)

Order Date :- 22.6.2023

Rao/-