

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4790 of 2023

Petitioner :- Devi Prasad And Another

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

Counsel for Petitioner :- Dinesh Chandra Tewari

Counsel for Respondent :- G.A.

Hon'ble Dinesh Kumar Singh,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

Heard learned counsel for the petitioners and learned A.G.A.

Under challenge in this petition is the First Information Report dated 08.06.2023, lodged at Case Crime No.277 of 2023, under Sections - 323, 504, 506, 498A, I.P.C. and Section 3/4 of the Dowry Prohibition Act, Police Station - Kotwali Dehat, District - Gonda.

Learned counsel for the petitioners confines his prayer for issuing direction to the police authorities to follow the mandate of Section 41A Cr.P.C. for the reason that the offences mentioned in the impugned First Information Report carry the sentence of upto 7 years of imprisonment.

Accordingly, we **dispose of** this petition with the direction to the police authorities concerned to follow the mandate of Section 41A Cr.P.C. and also the directions issued by the Hon'ble Supreme Court in the case of **Arnesh Kumar Vs. State of Bihar**, reported in **(2014) 8 SCC 273**.

Order Date :- 22.6.2023

Saurabh Yadav/-

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