

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4793 of 2023

Petitioner :- Rajkumari Rastogi (Wrongly Type Rajkumar Rastogi In F.I.R And 2 Others

Respondent :- State Of U.P. Thru. Prin. Secy Home Civil Sectt. Lko. And 3 Others

Counsel for Petitioner :- Garima Singh, Ashish Kumar Rastogi

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 30.05.2023, lodged at Case Crime No.0631 of 2023, under Sections - 420 & 406 I.P.C., Police Station - Kotwali, District - Barabanki.

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)