

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7782 of 2023

Petitioner :- Omi Shukla Alias Abhinav Shukla

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

Counsel for Petitioner :- Gulam Mustafa

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner and learned A.G.A.
who appears on behalf of State-respondents.

Under challenge in this petition is the First Information
Report dated 30.9.2023, lodged at Case Crime No. 381 of
2023, under Sections 452, 323, 504, 354 IPC at P.S. Krishna
Nagar, District Lucknow.

Learned counsel for the petitioner 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 :- 10.10.2023

AKK