

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7788 of 2023

Petitioner :- Gayatri Nandan Jaiswal (In Fir Gayatri Jaiswal)

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

Counsel for Petitioner :- Ankur Pandey, Santosh Kumar
Dubey

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 21.9.2023, lodged at Case Crime No. 0517 of
2023, under Sections 379, 411 IPC at P.S. Kotwali Dehat,
District Gonda.

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