

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7907 of 2023

Petitioner :- Niranjana And Another

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

Counsel for Petitioner :- Gyanendra Pathak, Adarsh Kumar Tripathi

Counsel for Respondent :- G.A., Nripendra Mishra

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

1. Heard learned counsel for the petitioners, learned A.G.A for the State and Sri Nripendra Mishra, Advocate who has filed his vakalatnama on behalf of the Opposite party no. 4, which is taken on record.

2. Under challenge in this petition is the First Information Report dated- 02.09.2023, lodged at F.I.R. No. - 0207 of 2023, under Sections - 419, 420 of the I.P.C., at P.S.- Gilaula, District- Shrawasti.

3. 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.

4. 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 :- 12.10.2023

Darpan Sharma