Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7823 of 2023

Petitioner :- Shiva Kant Tiwari And Others
Respondent :- State Of U.P. Thru. Secy. Home Deptt. Civil Secrt. Lko. And Others
Counsel for Petitioner :- Yogesh Kumar Mishra,Dharmendra Kumar Yadav
Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.
Hon'ble Narendra Kumar Johari,J.

(1) Heard learned counsel for the petitioners, learned A.G.A for the State and perused the record.

(2) Under challenge in this petition is the First Information Report dated 14.09.2023 lodged at F.I.R./Case Crime No.0242 of 2023, under Sections 147, 323, 504 I.P.C. and Section 3 (1) (da), 3 (1)(Gha) and 3 (2) (va) of S.C./S.T. Act, at P.S. Amethi, District Amethi.

(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 :- 10.10.2023
N.PAL

Digitally signed by :-
NARESH PAL
High Court of Judicature at Allahabad,
Lucknow Bench