

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7921 of 2023

Petitioner :- Arjun Yadav And Others

Respondent :- Station House Office, Police Station Gomti Nagar, Lko And Others

Counsel for Petitioner :- Vishwajeet Singh, Moni Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

1. Heard learned counsel for the petitioners and learned A.G.A. for the State.

2. This petition has been filed with the following main prayer:-

"issue a writ, order or direction directing the police of Police Station-Gomti Nagar Vistar., District-Lucknow restraining them from arresting the petitioners."

3. Learned counsel for the petitioners submits that all the sections invoked against the petitioners carry a punishment of up to seven years and therefore, they are entitled for the benefit of the judgment rendered by the Supreme Court in the case of ***Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273.***

4. Learned A.G.A. has produced before this Court instructions sent by Assistant Police Commissioner/Investigating Officer, Gomti Nagar, Lucknow, wherein it has been stated that Section 41A notice was issued to the petitioners, but, they have not cooperated in the investigation.

5. Accordingly, we ***dispose*** of the petition with a direction to the petitioners to approach the investigating officer at Gomti Nagar Police Station on 16.10.2023 between 10:00 am to 5:00 pm.

Order Date :- 12.10.2023

R.C.