

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7918 of 2023

Petitioner :- Viresh Kumar And Another

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

Counsel for Petitioner :- Ankit Kumar Singh, Dharmendra Kumar 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, learned A.G.A for the State and perused the record.

2. Under challenge in this petition is the First Information Report dated 11.04.2023 lodged as FIR No. 0139 of 2023, under Sections 420/406/120B/506 I.P.C., Police Station Sarojini Nagar, District Lucknow.

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

R.C.