

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8115 of 2023

Petitioner :- Mohd. Kaif

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

Counsel for Petitioner :- Pranav Pandey

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner, learned A.G.A for the State and perused the record.
2. Under challenge in this petition is the First Information Report dated - 03.07.2022, lodged at F.I.R. No. - 0050 of 2022, under Sections - 420 of the I.P.C. & Section 66-D of the Information and Technology(Amendment) Act, 2008, at P.S.- Gautampalli, District- Lucknow Central (Commissionerate Lucknow).
3. 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.
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 :- 18.10.2023

Darpan Sharma