

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8119 of 2023

Petitioner :- Praveen Srivastava @ Praveen Kumar Srivastava
And Others

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

Counsel for Petitioner :- Prashansa 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 Sri Rajesh Kumar, Advocate alongwith Sri Sheikh Mohammad Ashif, Advocate has filed vakalatnama on behalf of opposite party no. 4 which is taken on record.

2. Under challenge in this petition is the First Information Report dated - 17.09.2023, lodged at F.I.R. No. - 0209 of 2023, under Sections - 147, 323, 504, 506 of the I.P.C., at P.S.- Alambagh, District- Lucknow East (Commissionerate 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 :- 18.10.2023

Darpan Sharma