

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 8191 of 2023

**Petitioner :-** Mohammad Mobin Varsi

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

**Counsel for Petitioner :-** Syed Ahmad Mehdi

**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 12.10.2023, lodged as F.I.R. No.0893 of 2023, under Sections 420 and 406 of the I.P.C., at P.S. Kotwali Nagar, District Gonda.

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 :-** 19.10.2023

Rahul