

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8244 of 2023

Petitioner :- Anand Gupta Alias Nitin Gupta

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Affairs
And Others

Counsel for Petitioner :- Gaurav Singh, Alok Sharma

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 bearing Case Crime No.0254 of 2023 under Section 323, 504, 506 I.P.C. and Section 3(1) (da), 3(1)(gha) of SC/ST Act, P.S. Kakori, District 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 :- 19.10.2023

Madhu