

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8407 of 2023

Petitioner :- Vimlesh Alias Vimlesh Kumar And Another

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

Counsel for Petitioner :- Krishna Kumar Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of State-respondents.

Under challenge in this petition is the First Information Report dated 22.10.2023, lodged at FIR No. 0487 of 2023, under Section 3/7 of Essential Commodities Act, 1955, at P.S. Sursa, District Hardoi.

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.

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 :- 1.11.2023

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