

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8398 of 2023

Petitioner :- Rahul Gupta

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

Counsel for Petitioner :- Ashok Kumar Maurya, Dr. Pramod Kumar Maurya

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the **petitioner** and learned A.G.A. for the State and perused the record.

Under challenge in this petition is the First Information Report dated 27.9.2023, lodged at F.I.R./Case Crime No.376 of 2023, under Sections 354 (Ka), 354 (Gha) IPC, at PS. -Lalganj, District -Pratapgarh

Learned counsel for the petitioners confines his prayer for issuing direction to the police authorities to follow the mandate of Section 41A, Cr.PC. for the reason that the offences mentioned in the impugned First Information Report carry the sentence of upto 7 years of imprisonment and therefore, the petitioner is entitled to get the benefit of 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.***

The Court having perused the impugned F.I.R. finds that the petitioner is harassing the daughter of the informant, therefore, there is no ground to show interference.

The writ petition is, accordingly, **dismissed.**

Order Date :- 31.10.2023

Anuj Singh