

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8405 of 2023

Petitioner :- Sachin Gupta

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

Counsel for Petitioner :- Rajiv Raman Srivastava

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. who appears on behalf of State-respondents.

Under challenge in this petition is the First Information Report dated 01.03.2023, lodged at FIR No. 0086 of 2023, under Section 3/7 Essential Commodities Act, 1955, at P.S. Biswan, District Sitapur.

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.

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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