

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8636 of 2023

Petitioner :- Salman

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

Counsel for Petitioner :- Manoj Kumar Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner, learned A.G.A for the State and perused the record.
2. Under challenge in this writ petition is the First Information Report dated 20.10.2023, lodged as F.I.R. No. 0456 of 2023, under Sections - 354, 323, 506 of the I.P.C. and Section 7/8 POCSO Act at P.S.- Risiya, District- Bahraich.
3. Learned counsel for the petitioner states that all the offences that are now being invoked against the petitioner carry sentence of upto 7 years of imprisonment. Therefore, he is entitled for benefit of judgment rendered by the Hon'ble Supreme Court in the case of **Arnesh Kumar Vs. State of Bihar**, reported in (2014) 8 SCC 273.
4. Learned AGA has produced instructions sent by Sub-Inspector Shri Rajesh Kumar, police station Risiya, District Bahraich and the same is taken on record. On the basis of said instructions learned AGA states that a Charge Sheet No.A442/2023 dated 28.10.2023 has been prepared and submitted to the Circle Officer, Bahraich.
5. The writ petition has become infructuous and it is **dismissed as such.**

Order Date :- 8.11.2023

Arnima