

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9970 of 2022

Petitioner :- Mohit Christopher Chauhan And Another

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

Counsel for Petitioner :- Mr.Alok Pandey,Ganesh Kumar Gupta,Rakesh Kumar,Rita Agnes Cocker Pandey

Counsel for Respondent :- G.A.,Alok Kumar Srivastava

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Learned counsel for the petitioners has pointed out the Mediation Center's report dated 02.11.2023. The Mediation Center has reported that no agreement could be arrived at between the parties.

Learned counsel for the petitioners says that petitioner No.2 is 73 years old widow and as far as the allegations in the impugned F.I.R. are concerned, all the sections invoked against the petitioners carry a maximum punishment up to 07 years. The petitioners may be granted benefit of the judgment rendered in the case of ***Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273.***

The writ petition is **disposed of** with the direction to the Investigating Officer to follow the mandate of the law settled by the Hon'ble Supreme Court in the case of ***Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273,*** if the investigation is still going on and the charge sheet has yet not been filed.

Order Date :- 20.11.2023

ML/-