

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8906 of 2023

Petitioner :- Pradosh Kumar Dubey

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

Counsel for Petitioner :- Ashok Kumar Pandey
Iind, Anshuman Sharma, Athar Ali, Shantanu Sharma

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 4.10.2023, lodged at F.I.R./Case Crime No.451 of 2023, under Sections 279, 337, 338, 304-A IPC, at PS. -Gosaiganj, District -Lucknow.

Learned A.G.A. has produced before this Court the instruction sent by Sanjai Kumar Verma- Sub Inspector, PS. -Gosaiganj, District -Lucknow, wherein it has been stated that the petitioner has been issued notice under Section 91/160 Cr.P.C. through post. The petitioner has also submitted his reply on 3.11.2023. The petitioner reply shall be considered along with other evidence.

The instructions are kept on record.

Accordingly, we **dispose of** this petition with a direction to the Investigation Officer to follow the mandate of Section 41A Cr.PC. 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 :- 21.11.2023

Anuj Singh