

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8983 of 2023

Petitioner :- Shubhendra Pratap Singh And 2 Others

Respondent :- State Of U.P. Thru. Prin. Secy. (Home), Lucknow And 3 Others

Counsel for Petitioner :- Raghvendra Pratap Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioners, learned A.G.A for the State and perused the record.
2. Under challenge in this writ petition is the First Information Report dated 18.11.2023, lodged as F.I.R. No. 0616 of 2023, under Sections - 498-A, 323, 504 of the I.P.C. & 3/4 D.P. Act at P.S.- Kotwali City, District- Raebareli.
3. Petitioner No.1- Shubhendra Pratap Singh has appeared in person today and has been identified by his counsel. The respondent No.4- Smt. Ranjana Singh has come along with Sub Inspector Ausaf Ali and Constable Durgawati, police station concerned.
4. We have put a specific query to the respondent No.4 whether she is willing to try and settle the dispute through mediation and we have also tried to convince her that it would be easier for her to live separately and sever her relations with the petitioner No.1, if the settlement agreement is arrived at Mediation and Conciliation Centre of this Court, however, the respondent No.4 has expressed her unwillingness to settle the dispute through mediation.
5. The demand draft made out by the petitioner No.1 in favour of the opposite party No.4 is returned to the petitioner No.1.
6. We have gone through the F.I.R and find that all the sections invoked against the petitioners carry a punishment with up to 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.

(Narendra Kumar Johari,J.) (Mrs. Sangeeta Chandra,J.)

Order Date :- 14.12.2023

Gurpreet Singh