Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9072 of 2023

Petitioner :- Shiv Nandan And Another
Respondent :- State Of U.P. Thru. Secy. Home Deptt. Govt. Sectt. Lko And 4 Others
Counsel for Petitioner :- Mohd. Salman,Mohd. Zishan
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 petition is the First Information Report dated - 17.11.2023, lodged at F.I.R. No. - 0682 of 2023, under Sections - 498-A of the I.P.C. and Section 3/4 of the Dowry Prohibition Act, at P.S.- Gangaghat, District- Unnao.

3. Learned counsel for the petitioners 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.

4. 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 :- 29.11.2023
Darpan Sharma

Digitally signed by :-
DARPAN SHARMA
High Court of Judicature at Allahabad,
Lucknow Bench