

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9452 of 2023

Petitioner :- Gazala Tasneem Siddiqui And Another

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

Counsel for Petitioner :- Saddam Ahamad Khan

Counsel for Respondent :- G.A., Ravindra Nath Mishra

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondents and Shri Ravindra Nath Mishra, learned counsel for the private respondent and perused the material placed on record.

Under challenge in this petition is the First Information Report dated 13.10.2023, registered as F.I.R./Case Crime No.0365/2023, under Sections 406, 420 of I.P.C., at Police Station - Indira Nagar, District - Lucknow.

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.

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 :- 14.12.2023

ML/-