Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9517 of 2023

Petitioner :- Sahab Deen And Another
Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home Deptt. Civil Sectt. Lko And Others
Counsel for Petitioner :- Chhatrapal Rawat
Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.
Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the **petitioner**s and learned A.G.A. for the State and perused the record.

Under challenge in this petition is the First Information Report dated 8.12.2023, lodged at F.I.R./Case Crime No.278 of 2023, under Sections 3/7 of the Essential Commodities Act, at PS. -Nagram, 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.PC. 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.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 :- 15.12.2023

Anuj Singh

Digitally signed by :-
ANUJ PRATAP SINGH
High Court of Judicature at Allahabad,
Lucknow Bench