

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9710 of 2023

Petitioner :- Rohan Singh

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

Counsel for Petitioner :- Aashish Srivastava

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner, learned A.G.A for the State and perused the record.
2. Under challenge in this writ petition is the First Information Report dated 28.04.2023, lodged as F.I.R. No.0053 of 2023, under Section - 420 of the I.P.C. and Sections 6, 10 of the U.P. Public Examination (Prevention of Unfair Means) Act, 1998 at P.S.- Cantt, Police Commissionerate Lucknow East District-Lucknow.
3. Learned counsel for the petitioner 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 :- 21.12.2023

Arnima