Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9708 of 2023

Petitioner :- Vijay Kumar
Respondent :- State Of U.P. Thru. Secy. Home Deptt. U.P. Lko. And Others
Counsel for Petitioner :- Ashok Kumar Singh
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 26.11.2023, lodged as F.I.R. No.0834 of 2023, under Section - 354(gha) of the I.P.C. at P.S.- Bachhrawan, District- Raebareli.

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

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