

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9748 of 2023

Petitioner :- Akarsh Tiwari Alias Ankur Tiwari And Another

Respondent :- State Of U.P. Thru. Secy. Home Civil Sectt. Govt. Lko And Others

Counsel for Petitioner :- Akhilesh Singh Chauhan, Satyendra Kumar Tiwari

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, 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 11.11.2023 lodged as F.I.R. No. 167 of 2023, under Sections 323/504/506/308/332/353/427 of the I.P.C. and Section 7 of Criminal Law Amendment Act, at P.S. Sangrampur, District Amethi.

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.***

Ord/er Date :- 22.12.2023

R.C.