

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPCRL No. 316 of 2021</p> <p><b><u>Hon'ble N.S.Dhanik, J.</u></b></p> <p>Mr. Deepak Sharma, learned counsel for the petitioners.</p> <p>Ms. Manisha Rana Singh, AGA for the State.</p> <p>This writ petition is filed seeking for a writ of certiorari to quash the FIR lodged against the petitioners, details whereof are given in the prayer clause.</p> <p>The writ petition is disposed of at the admission stage itself with the consent of learned counsel for the parties.</p> <p>In view of the judgment rendered by Hon'ble Apex Court in <b>Arnesh Kumar vs. State of Bihar and another</b>, reported in (2014) 8 SCC 273, the petitioners should be arrested only when the Investigating Officer has reason to believe on the basis of information and material collected, that they have committed an offence. Before making arrest, the Investigating Officer is required to satisfy himself that the arrest is necessary for one or more purposes envisaged by Sub-Clauses (a) to (e) of Clause (1) of Section 41 of Cr.P.C. It will not be based upon the <i>ipsi dixit</i> of the Police Officer. In other words, the petitioner shall be arrested on when the conditions stipulated in Sub-Clauses (a) to (e) of Clause (1) of Section 41 of Cr.P.C. are satisfied. Petitioners are directed to contact the Investigating Officer on or before 10.03.2021. Till 10.03.2021 only, no coercive measures shall be taken against the petitioners.</p>

			<p>Criminal Writ Petition is summarily disposed of with the direction as above.</p> <p>All pending applications also stand disposed of.</p> <p style="text-align: right;"><b>(N.S.Dhanik, J.)</b> 26.02.2021</p> <p>Kaushal</p>
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