

Court No. - 1

Case :- CRIMINAL MISC. WRIT PETITION No. - 4578 of 2024

Petitioner :- Rajesh Kumar Sahu

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

Counsel for Petitioner :- Mukesh Kumar Sharma

Counsel for Respondent :- G.A.

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Ajai Kumar Srivastava-I,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State/respondent.

2. The instant writ petition has been filed by the petitioners with the following main relief:-

"(i) Issue a writ, order or direction in the nature of certiorari quashing the impugned first information report dated 06.02.2024 registered as Case Crime No.0023 of 2024, under Sections 419, 420, 504, 506 I.P.C. & 66 of Information and Technology (Amended) Adhiniyam, 2008, Police Station Indira Nagar, 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.***

(A.K. Srivastava-I, J) (A.R. Masoodi, J)

Order Date :- 28.6.2024

A.Dewal