

(2011) 06 UK CK 0069

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 232 of 2011 in Stay Vacation Application No. 6187 of 2011

Anadi Ranjan Haldar and Others

APPELLANT

Vs

State of Uttarakhand and Shri Dev Kumar Singh

RESPONDENT

Date of Decision : 24-06-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 147, 323, 504, 506
Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 —
Section 3(1)(X)

Citation : (2011) 06 UK CK 0069

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Prafulla C. Pant, J.—Heard.

2. By means of this writ petition moved under Article 226 of Constitution of India, the Petitioners have sought quashing of the First Information Report No. 21 of 2011, relating to offences punishable u/s 147, 323, 504 and 506 I.P.C., and u/s 3(1)(X) of SC and ST (Prevention of Atrocities) Act, 1989, Police Station Dineshpur, District Udham Singh Nagar.

3. A counter affidavit has been filed on behalf of the Respondent No. 3.

4. Admit the petition.

5. It is prayed on behalf of the complainant and the State the interim order dated 04.04.2011, be vacated.

6. Having heard learned Counsel for the parties, and after going through the papers on record, the interim order dated 04.04.2011, is modified and it is directed that the investigation of the case may go on, but the Petitioners namely Anadi Ranjan Haldar, Satya Ranjan Haldar, Narayan Haldar, Diwakar Haldar and

Apan Haldar shall not be arrested in connection with aforesaid crime, during investigation, provided they cooperate with the investigating agency. (Stay Vacation Application No. 6187 of 2011, stands disposed of).

7. Learned Counsel for the Petitioners prays for and is allowed three weeks time to file the rejoinder affidavit. Meanwhile, the State may also its counter affidavit within a period of three weeks.

8. List after three weeks.