

(2022) 02 UK CK 0043

In the Uttarakhand High Court

Case No : Writ Petition (Criminal) No. 222 Of 2022

Ankit Kumar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 08-02-2022

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 420

Citation : (2022) 02 UK CK 0043

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Prabha Naithani, Lalit Miglani

Final Decision : Disposed Of

Judgement

Ravindra Maithani, J

1. The challenge in this petition is made to the FIR No. 99 of 2022, under Sections 420 & 120-B IPC, Police Station Ranipur, District Haridwar.

2. Heard learned counsel for the parties through video conferencing.

3. Learned counsel for the petitioners would submit that the case is fully covered by the judgment in the case of Arnesh Kumar vs. State of Bihar and another (2014) 8 SCC 273.

4. It is argued that the petition may be disposed of with the direction to Investigating Officer that he shall follow the directions of Honâ??ble Supreme Court in the case of Arnesh Kumar (supra) during the course of the investigation of the case.

5. In the case of Arnesh Kumar (supra), the Honâ??ble Supreme Court discussed the scope of jurisdiction and particularly the aspect of arrest.

Directions have been issued by the Honâ??ble Supreme Court to the

Investigating Officer and the Magistrate with regard to arrest and remand of an accused.

6. This Court has no doubt that the Investigating Officer shall follow the directions of Honâ??ble Supreme Court as laid down in the case of Arnesh

Kumar (supra) in the instant case.

7. With the above observations, the instant writ petition stands disposed of.