

(2011) 09 UK CK 0127

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 826 of 2011 and Interim Relief Application No. 9996 of 2011

Brij Mohan Sharma

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 22-09-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 306

Citation : (2011) 09 UK CK 0127

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Prafulla C. Pant, J.—Heard.

2. By means of this writ petition moved under Article 226 of Constitution of India, the Petitioner has sought quashing of the First Information Report dated 15.09.2011, registered as Crime No. 231 of 2011, relating to offence punishable u/s 306 I.P.C., Police Station Kotwali Gangnahar Roorkee, District Hardwar.

3. A maid servant said to have committed suicide in the house of the Petitioner. It is alleged by the complainant (father of the deceased) that she (deceased) was not allowed to go her home by the Petitioner and his wife. No report was said to have been lodged by the Petitioner on 14.09.2011, after he came to know about the incident. The Petitioner has pleaded innocence, and it is further pleaded that the Petitioner did not instigate or abet the deceased to commit suicide.

4. Having considered submissions of learned Counsel for the Petitioner, and after going through the papers on record, without expressing any opinion on the allegations made in the First Information Report. This Court is not inclined to interfere with the investigation of the case.

5. Therefore,, the writ petition is dismissed summarily with the observation that

if the Petitioner Brij Mohan Sharma surrenders before the court concerned, his bail application shall be heard and disposed of without unreasonable delay. (Interim Relief Application No. 9996 of 2011, also stand disposed of).