

(2010) 08 UK CK 0108
In the Uttarakhand High Court

Daljeet Singh and Others

APPELLANT

Vs

State of Uttarakhand and Rajesh Kumar

RESPONDENT

Date of Decision : 03-08-2010

Acts Referred:

Constitution of India, 1950 — Article 226
Criminal Procedure Code, 1973 (CrPC) — Section 161
Penal Code, 1860 (IPC) — Section 420, 506

Citation : (2010) 08 UK CK 0108

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 the Constitution of India, the petitioners have sought quashing of the first information report/Crime No. 158 of 2010, relating to offences punishable u/s 420, 506 of I.P.C., police station Kotwali Laksar, District Haridwar.

3. Learned Counsel for the petitioners submitted that petitioners No. 1, 2 and 3 are the recorded co-sharers of the land of Khasra No. 108M and 111, situated in Village Naroj Pur, police station Laksar, District Haridwar. It is pleaded that it was the complainant, who failed to turn up to get the agreement registered on 21.02.2010.

4. Perusal of the first information report discloses that the complainant was made to pay Rs. 10,00,000/-for sale of the land, but neither the money was returned to him, nor the land could be transferred. It is stated by the complainant in his statement recorded u/s 161 of Cr.P.C. that petitioners No. 1, 2 and 3 under the false name made call to the complainant, and he was made to believe the facts which did not exist.

5. Having considered submissions of learned Counsel for the parties, and after

going through the papers on record, this Court is not inclined to interfere with the investigation of the case.

6. Therefore, the writ petition is dismissed with the observation that if the petitioners, namely Daljeet Singh, Rijwan Khan, Shakil Khan, Sanant Kumar and Deepa Singh surrender before the court concerned, or arrested, their bail application shall be heard and disposed of without unreasonable delay. (Stay Application No. 5581 of 2010 also stands disposed of).