
(2022) 04 UK CK 0022

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 591 Of 2022

Dheer Singh And Six Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 07-04-2022

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 323, 324, 452, 506
Scheduled Castes And The Scheduled Tribes (Prevention Of Atrocities) Act, 1989 —
Section 3(1)(r)
Constitution Of India, 1950 — Article 226

Citation : (2022) 04 UK CK 0022

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : P.C. Petshali, Rohit Dhyani

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This Criminal Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of certiorari to quash the impugned First Information Report No.111 of 2022, registered with Police Station Ramnagar, District Nainital for the offence under Sections 147, 148, 323, 324, 452, 506 of I.P.C and Section 3(1)(r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard Mr. P.C. Petshali, learned counsel for the petitioners and Mr. Rohit Dhyani, learned Brief Holder for the State.

3. During the arguments, the learned counsel appearing for the petitioners submitted that this writ petition may be disposed of with a direction to the concerned Station House Officer, Police Station Ramnagar, District Nainital, the respondent no.2, and the Investigating Officer to follow the judgment of the Hon'ble Supreme Court, passed in 'Arnesh Kumar vs.State of Bihar and Another',

(2014) 8 SCC 273, before proceed to arrest the petitioners.

4. The learned counsel for the State has no objection on the above submission of the learned counsel for the petitioners.

5. In view of the above, this Criminal Writ Petition No.591 of 2022 is disposed of with a direction to the Station House Officer, Police Station Ramnagar, District Nainital, the respondent no.2 and the Investigating Officer to follow the guidelines formulated by the Hon'ble Supreme Court in 'Arnesh Kumar vs. State of Bihar and Another', (2014) 8 SCC 273.