
(2022) 04 UK CK 0108

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 735 Of 2022

Irfan And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 25-04-2022

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 149, 153A, 295A, 323, 336
Constitution Of India, 1950 — Article 226

Citation : (2022) 04 UK CK 0108

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mohd. Safdar, Pratiroop Pandey

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. 327 of 2022, registered with Police Station Bhagwanpur, District Haridwar for the offence under Sections 147, 148, 149, 323, 336, 153-A and 295-A of IPC.

2. Heard Mohd. Safdar, the learned counsel for the petitioners and Mr. Pratiroop Pandey, the learned A.G.A. 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 Bhagwanpur, District Haridwar, 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.735 of 2022 is disposed of with a direction to the Station House Officer, Police Station Bhagwanpur, District Haridwar, 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.