
(2022) 04 UK CK 0093

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 718 Of 2022

Jagpreet Singh And Three Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 22-04-2022

Acts Referred:

Indian Penal Code, 1860 — Section 323, 498A, 504, 506

Dowry Prohibition Act, 1961 — Section 3, 4 Constitution Of India, 1950 — Article 226

Citation : (2022) 04 UK CK 0093

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Vinay Bhatt, S.S. Adhikari, Tapan Singh

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.72 of 2022, registered with Police Station Kashipur, District Udham Singh Nagar, for the offence under Sections 323, 498A, 504, 506 of IPC and Section 3/4 of the Dowry Prohibition Act, 1961.

2. Heard Mr. Vinay Bhatt, learned counsel for the petitioners, Mr. S. S. Adhikari, learned Deputy Advocate General for the State/ respondent nos.1 and 2 and Mr. Tapan Singh, learned counsel holding brief of Mr. Sanjay Kumar, learned counsel for the respondent no.3.

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 Kashipur, District Udham Singh Nagar, 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 respondents have no objection on the above submission of the learned counsel for the petitioners.

5. In view of the above, this Criminal Writ Petition No.718 of 2022 is disposed of with a direction to the Station House Officer, Police Station Kashipur, District Udham Singh Nagar, 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.

6. Let a certified copy of this order be supplied to the learned counsel for the petitioners, today itself, on payment of usual charges.