

(2011) 07 UK CK 0001

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 631 of 2011 and Stay Application No. 7674 of 2011

Leena Singh, Km. Divya Singh and Umesh Veer Vikram Singh APPELLANT

Vs

State of Uttarakhand and Devendra Singh Yadav RESPONDENT

Date of Decision : 28-07-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 406, 420, 504, 506

Citation : (2011) 07 UK CK 0001

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 Petitioners have sought quashing of the First Information Report dated 13.07.2011, registered as Crime No. 116 of 2011, relating to offences punishable u/s 420, 406, 504 and 506 I.P.C., Police Station Dalanwala, District Dehradun.

3. Serious allegation is made in the First Information Report that the complainant was cheated of Rs. 5,10,000/- by the Petitioners, after promising a job to the wife of the complainant.

4. Learned Counsel for the Petitioners submitted that complainant was Sales Representative cum clerk with NAFCO which is registered society of which Petitioner No. 2 is the Chief Promoter, and Petitioner No. 3 is Legal Advisor. It is pertinent to mention here that Petitioner No. 3 is father of the Petitioner No. 2, and husband of Petitioner No. 1. It is contended on behalf of the Petitioners that after services of wife of the Respondent No. 4 (complainant) were terminated the impugned First Information Report was got lodged. However, on perusal of the papers on record, this Court finds that Annexure-5 to the writ petition shows that

Petitioners have taken a contradictory plea that Rs. 5,10,000/- was paid by Monika Yadav (wife of the Respondent No. 4) to one Sudhanshu, which indicates that amount in question was paid.

5. In the above circumstances, this Court is not inclined to interfere with the investigation of the case. Therefore, the writ petition is dismissed summarily. (Stay Application No. 7674 of 2011 also stands dismissed).