
(1995) 10 AHC CK 0037
In the Allahabad High Court
Case No : Writ Petition No. 3032 (M/B) of 1995

Mathura Prasad Bhargava

APPELLANT

Vs

State of U.P.and Another

RESPONDENT

Date of Decision : 19-10-1995

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 81, 82

Citation : (1995) 10 AHC CK 0037

Hon'ble Judges : S.H.A.Raza, J and D.K.Trivedi, J

Final Decision : Disposed Of

Judgement

1. The writ petition has been filed by Shri Mathura Prasad Bhargava, resident of 154, Gautam Budh Marg, Police Station, Kaiser Bagh, Lucknow, under an apprehension that on a warrant issued by Delhi Court under Sections 81 and 82, Cr. PC., the police would attach the property of the petitioner Mathura Prasad Bhargava, when the order of attachment has been issued in the name of Rajiv Bhargava, who is youngest son of the petitioner.

2. The main thrust of the petitioner in this writ petition is that when the petitioner got fedup with the activities of his youngest son Rajiv Bhargava, a public notice was published in the Local Hindi Daily Newspaper "Swatantra Bharat" dated 10/10/1992, that he shall have no concern with Rajiv Bhargava and would not be responsible for any act of Rajiv Bhargava. The apprehension of the petitioner appears to be misconceived simply for the reasons that the proclamation under Ss. 81 and 82, Cr. P.C. has been issued against Rajiv Bhargava and under law only his property will be attached. In case, the police authorities would try to attach the property of either the petitioner or his elder son, they would be able to point out before the authorities concerned that the property attached belonged to them and not to Rajiv Bhargava.

3. As we are of the view that the police who is duty bound only to attach the property of Rajiv Bhargava only, hence no direction is necessary to be issued.

4. With the aforesaid observations, writ petition is disposed of.