
(2022) 02 UK CK 0061

In the Uttarakhand High Court

Case No : Writ Petition (Criminal) No. 242 Of 2022

Mohd Sahzad And Another

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 10-02-2022

Acts Referred:

Indian Penal Code, 1860 — Section 323, 420, 504, 506

Citation : (2022) 02 UK CK 0061

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Mohd. Safdar, Pratiroop Pandey

Final Decision : Disposed Of

Judgement

Ravindra Maithani, J

1. The challenge in this petition is made to the Case Crime No. 78 of 2022, under Sections 420, 323, 504, 506 IPC, Police Station Kotwali Jwalapur,

District Haridwar.

2. Heard learned counsel for the parties through video conferencing and perused the record.

3. Learned counsel for the petitioner would submit that the case is fully covered by the judgment in the case of Arnesh Kumar vs. State of Bihar and another (2014) 8 SCC 273.

4. It is argued that the petition may be disposed of with the direction to Investigating Officer that he shall follow the directions of Honâ??ble Supreme Court in the case of Arnesh Kumar (supra) during the course of the investigation of the case.

5. In the case of Arnesh Kumar (supra), the Honâ??ble Supreme Court issued

various direction with regard to arrest and remand of an accused.

6. Even otherwise also, arrest is not a routine and mechanical act of the IO. The IO is first to satisfy that some offence has been committed and

thereafter, to satisfy that arrest is required, for further investigation of the matter.

7. This Court has no doubt that the IO shall follow the directions of the Honâ??ble Supreme Court while investigating the instant case.

8. With these observations, the writ petition stands disposed of.