

(2022) 05 UK CK 0013

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 836 Of 2022

Mohd. Zaid Rafi Ansari

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 06-05-2022

Acts Referred:

Indian Penal Code, 1860 — Section 379, 427, 447
Constitution Of India, 1950 — Article 226

Citation : (2022) 05 UK CK 0013

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Pawan Mishra, 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.115 of 2022, registered with Police Station Sahaspur, District Dehradun, for the offence under Sections 379, 447 and 427 of IPC.

2. Heard Mr. Pawan Mishra, learned counsel for the petitioner and Mr. Pratiroop Pandey, learned AGA for the State.

3. During the arguments, the learned counsel appearing for the petitioner submitted that this writ petition may be disposed of with a direction to the concerned Station House Officer, Police Station Sahaspur, District Dehradun, 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 petitioner.

4. The learned counsel for the State has no objection on the above submission of the learned counsel for the petitioner.

5. In view of the above, this Criminal Writ Petition No.836 of 2022 is disposed of with a direction to the Station House Officer, Police Station Sahaspur, District Dehradun, 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.