
(2022) 04 UK CK 0104

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 728 Of 2022

Raj Gaur Alias Suresh Chand

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 26-04-2022

Acts Referred:

Indian Penal Code, 1860 — Section 323, 420, 498A, 504

Dowry Prohibition Act, 1961 — Section 3, 4

Constitution Of India, 1950 — Article 226

Citation : (2022) 04 UK CK 0104

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Piyush Garg, Pratiroop Pandey, Shashi Kant Shandilya

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.64 of 2021, registered with Police Station Kotwali Almora, District Almora.

2. Heard Mr. Piyush Garg, learned counsel for the petitioner, Mr. Pratiroop Pandey, learned AGA for the State and Mr. Shashi Kant Shandilya, learned counsel for the respondent no.4.

3. The learned counsel for the State submitted that an instruction has been received from the Investigating Officer and according to the instruction, the petitioner is wanted in the offence under Sections 323, 420, 498A, 504 of IPC and Section 3/4 of the Dowry Prohibition Act, 1961.

4. 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 Kotwali Almora, District Almora,

the respondent no.3, 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.

5. The learned counsel for the respondents have no objection on the above submission of the learned counsel for the petitioner.

6. In view of the above, this Criminal Writ Petition No.728 of 2022 is disposed of with a direction to the Station House Officer, Police Station Kotwali Almora, District Almora, the respondent no.3 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.