

(2011) 09 UK CK 0158

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 795 of 2011 and Stay Application No. 9673 of 2011

Rashmi Thapa

APPELLANT

Vs

The State of Uttarakhand and Mange Ram

RESPONDENT

Date of Decision : 15-09-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 323, 420, 506

Citation : (2011) 09 UK CK 0158

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 Petitioner has sought quashing of the First Information Report registered as Crime No. 115 of 2011, (F.I.R. No. 96 of 2011), relating to offences punishable u/s 420, 323 and 506 I.P.C., police station Laksar, District Hardwar.

3. Learned Counsel for the Petitioner submitted that Petitioner is married daughter of Madhu Thapa, and she has been falsely implicated in the case.

4. However, perusal of the First Information Report shows that there are serious allegations of cheating against the Madhu Thapa, and her daughter (petitioner), who duped the complainant of more than one lakh by promising him a job.

5. Factual pleas of defence have been raised in the writ petition which are matter of investigation. As far as, not filing charge sheet within a period of sixty days or ninety days is concerned that is no ground for quashing of the First Information Report.

6. For the reasons as discussed above, this writ petition is dismissed summarily

with the observation that if the Petitioner Rashmi surrenders before the court concerned, her bail application shall be heard and disposed of without unreasonable delay. (Stay Application No. 9673 of 2011 also stands disposed of.