

(2011) 09 UK CK 0111

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 844 of 2011 and Stay Application No. 10149 of 2011

Sandeep, Suresh and Raj Pal Singh

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 27-09-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 120B, 420

Citation : (2011) 09 UK CK 0111

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 Petitioners have sought quashing of the First Information Report dated 24.07.2011, registered as Crime No. 65 of 2011, relating to offences punishable u/s 420 and 120B I.P.C. Police Station Basant Vihar, District Dehradun.

3. Learned Counsel for the Petitioners submitted that Petitioners have no role in the alleged cheating mentioned in the First Information Report. It is further pleaded that even according to the Investigating Officer only Section 120B is said to have been attracted against the Petitioners

4. It is alleged in the First Information Report that M/s Zenith Shopping India, through the complainants got collected the money from the public and promised certain commission out of the profits, but neither the public was returned the promised money nor the complainants got their commission.

5. Having considered submissions of learned Counsel for the parties, and after going through the papers on record, this Court is not inclined to interfere with the investigation of the case.

6. Therefore, without expressing any opinion on the allegation made in the First Information Report, the writ petition is dismissed summarily, with the observation that if the Petitioners namely Sandeep, Suresh and Raj Pal Singh, surrender before the court concerned, their bail application shall be heard and disposed of without unreasonable delay. (Stay Application No. 10149 of 2011, stands disposed of).