

(2011) 08 UK CK 0131

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 641 of 2011

Shailendra

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 02-08-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Dowry Prohibition Act, 1961 — Section 3, 4
Hindu Marriage Act, 1955 — Section 9
Penal Code, 1860 (IPC) — Section 3, 323, 4, 498A

Citation : (2011) 08 UK CK 0131

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 dated 09.07.2011, registered as FIR No. 190 of 2011, relating to offences punishable u/s 498A, 323 Indian Penal Code, 1860, and one punishable u/s 3/4

3. Dowry Prohibition Act, 1961, at Police Station Kotwali Dehradun, District Dehradun. There are specific allegations made against the Petitioner who is husband of the complainant relating to cruelty. It is pleaded that the impugned FIR is lodged after the petition u/s 9 of Hindu Marriage Act, was filed by the Petitioner.

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

5. Therefore, without expressing any opinion as to final merits in the matter, the writ petition is dismissed summarily with the observation that if the Petitioner

Shailendra surrenders before the court concerned his bail application shall be heard, and disposed of without unreasonable delay. (Stay application No. 7856 of 2011, stands disposed of).