
(2015) 07 UK CK 0001

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 893 of 2015

Smt. Medha Jindal

APPELLANT

Vs

State of Uttarakhand

RESPONDENT

Date of Decision : 28-07-2015

Acts Referred:

Citation : (2015) 07 UK CK 0001

Hon'ble Judges : Sudhanshu Dhulia, J.

Bench : Single Bench

Advocate : Mr. Piyush Garg, Advocate, for the Petitioner; Mr. P.S. Saun, Deputy Advocate General with Mr. Kuldeep Singh, Brief Holder, for the State/Respondent Nos. 1 and 2.

Final Decision : Disposed Off

Judgement

Sudhanshu Dhulia, J.—In this case, respondent No. 3 - Mahendra Singh Chauhan lodged the First Information Report at Police Station Rajpur, Dehradun, which was registered as Case Crime No. 53 of 2015 under Sections 420/467/468/471 and 120B of I.P.C. implicating the present petitioner and other co-accused.

2. From the perusal of the First Information Report it prima facie appears to be a case of civil nature. Considering the overall circumstances of the case, an interference of this Court is presently called for in this matter.

3. As an interim measure, it is provided that though the investigation may go on against the petitioner, but he shall not be arrested nor any coercive measures shall be taken against him till the next date of listing or till the filing of the charge sheet whichever is earlier, in pursuance of the Case Crime No. 53 of 2015, under Sections 420/467/468/471 and 120B of I.P.C. registered at Police Station Rajpur, District Dehradun.

4. Issue notice to respondent No. 3. Steps to be taken within a week.

5. The respondents shall file counter affidavits within four weeks.
6. List this matter after four weeks in the daily cause list.
7. However, it is made clear that the above relief is subject to the cooperation of the petitioner in the investigation. In case, the petitioner does not cooperate in the investigation, it will be the duty of the respondents to bring this fact to the notice of this Court so that appropriate orders be passed.
8. Interim Relief Application No. 8439 of 2015 stands disposed accordingly.