
(2012) 05 UK CK 0049

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 450 of 2012

Smt. Vimlesh

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 24-05-2012

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 304B, 498A

Citation : (2012) 05 UK CK 0049

Hon'ble Judges : Umesh Chandra Dhyani, J

Bench : Single Bench

Advocate : Prabha Naithani, for the writ petitioner, for the Appellant; S.S. Adhikari, A.G.A. for the respondent State., for the Respondent

Judgement

Hon''ble U.C. Dhyani, J.—Heard. By means of this writ petition, moved under Article 226 of the Constitution of India, the petitioner has sought quashing of the first information report dated 12.05.2012, registered as Crime No. 82 of 2012, relating to offences punishable u/s 498A, 304B of I.P.C. at police station Patel Nagar, District Dehradun.

2. An FIR was lodged by respondent No. 3 with the allegation that his daughter got married with Kuldeep Goyal, son of the petitioner, on 01.03.2012. The said marriage was a love marriage. Soon after her marriage daughter of the complainant was tortured and harassed by Kuldeep and his family members for non fulfillment of demand of dowry. When the daughter of the complainant told about her ordeal to her parents they somehow persuaded her to live in the matrimonial house. It was further alleged in said FIR that on 11.05.2012, the husband and in laws committed murder of complainant's daughter by administering her poison during night. On the same day at 08:00 P.M., father-in-law of her daughter telephoned the complainant and told him that his daughter has consumed poison and by the time he reached the hospital his daughter has already died.

3. Learned counsel for the petitioner submitted that the petitioner Smt. Vimlesh has been arrested today and, therefore, she does not want to press the writ petition.

4. In view of the above statement, the writ petition is dismissed as infructuous.

5. Learned counsel for the petitioner made an alternative prayer for directing the Magistrate concerned to expedite the disposal of the bail application of the petitioner. It is submitted on behalf of the petitioner that the petitioner is an old lady and suffering from various ailments.

6. Considering the prayer as above, it is directed that the bail application of Smt. Vimlesh, mother-in-law of the deceased, may be expedited. It is made clear that the prosecutor opposing the bail application shall be given adequate opportunity of hearing and placing necessary documents which might be found necessary for proper disposal of bail application. With the direction as above, the writ petition is finally disposed of. (Stay application No. 5113 of 2012 also stands disposed of).