

(2011) 09 UK CK 0129

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 829 of 2011

Sonu and Satendra Kumar

APPELLANT

Vs

State of Uttarakhand and Shri Amar Chand

RESPONDENT

Date of Decision : 22-09-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Penal Code, 1860 (IPC) — Section 323, 452, 504

Citation : (2011) 09 UK CK 0129

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 No. 265 of 2011, relating to offences punishable u/s 323, 452, 504 Indian Penal Code, Police Station Ranipur, District Haridwar.

3. Factual pleas of defence are raised in the writ petition as to the innocence of the Petitioner. It is pleaded that they were not named in the FIR. It is also pleaded that Rs. 15,000/- were paid by the complainant to the co-accused Sonu, and in order to avoid the demand of said money the FIR is lodged.

4. In its writ jurisdiction, this Court is not inclined to examine the factual aspects which are subject matter of investigation.

5. Therefore, the writ petition is dismissed summarily with the observation that if the Petitioners Sonu, S/o Tularam and Satendra Kumar S/o Amarpal Singh surrender before the court concerned their bail application shall be heard, and disposed of without unreasonable delay. (Stay application No. 10019 of 2011, stands disposed of).