
(2017) 06 UK CK 0015
In the Uttarakhand High Court
Case No : 719 of 2017

Sunil & Ors.

APPELLANT

Vs

State of Uttarakhand & Ors.

RESPONDENT

Date of Decision : 06-06-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 364](#) -
Kidnapping or abducting in order to murder

Citation : (2017) 06 UK CK 0015

Hon'ble Judges : V.K. Bist

Bench : Single Bench

Advocate : Gaurav Singh, ?Pratirop Pandey, ?Dinesh Kumar Tyagi, ?Nikhil Singhal

Final Decision : Dismissed

Judgement

1. Petitioners have approached this Court seeking the following reliefs:-

"(i) Issue a writ, order or direction in the nature of certiorari quashing the F.I.R. dated 18.04.2017 being case crime no.131 of 2017, u/s 364 IPC lodged by respondent no.3 at P.S. Jhabrera, District Haridwar against the petitioners (Annexure No.3 to this writ petition). (ii) Issue a writ, order or direction in the nature of mandamus commanding/directing the respondent nos.1 & 2 not to arrest the petitioners in connection with the impugned F.I.R. dated 18.04.2017 being case crime no.131 of 2017, u/s 364 IPC lodged by respondent no.3 at P.S. Jhabrera, District Haridwar against the petitioners (Annexure No.3 to this writ petition)".

2. On 18.04.2017, respondent no.3 lodged a missing report of respondent no.4 at Police Station Jhabrera, District Haridwar. According to the averments made in the writ petition, petitioner no.1 and respondent no.4 were in love and on 25.4.2017 they got married at Arya Samaj Mandir Patelnagar, Saharanpur. It is alleged in the writ petition that respondent no.3 was against the marriage of petitioner no.1 and his daughter and therefore he lodged a false missing report

just to implicate the petitioners.

3. Vide order dated 16.05.2017, this Court stayed the arrest of the petitioners on the condition that the petitioners will cooperate with the Investigating Agency in the investigation of the case. However, it is submitted by learned Deputy Advocate General that the petitioners are not appearing before the Investigating Officer and are not cooperating in the investigation of the case.

4. Though, Mr. Gaurav Singh, Advocate appeared for the petitioner, but, he submitted that he has no instructions in the matter.

5. In the above circumstances, the writ petition is dismissed for non-prosecution. Interim order dated 16.05.2017 is hereby vacated.