

WPMB (Crl) No. 567 of 2001

Hon'ble A.A. Desai, C.J.

Hon'ble P.C. Verma, J.

Heard Sri Pradeep Kumar Arya Advocate at length. According to him, in the testamentary proceedings a forged affidavit has been filed. The learned counsel described. The affidavit to be forged one, for which F.I.R. has been lodged. The grievance of the petitioner is that the cognizance has not been taken the by the police authorities at Dehradun. He therefore seeks writ of mandamus the writ petition is basically untenable. If the aforesaid affidavit is utilised in judicial proceedings, it is open for the petitioner to get the adjudication of the genuineness of the said documents from the court concerned and then to proceed according to law as envisaged under Sec. 195 of Criminal Procedure Code. We, therefore, dismiss the writ petition.

(A.A.D., C.J.) (P.C.V., J.)

P.Singh

30.04.2001