

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Writ Petition No. 301 of 2008

Mohd. Zauque & Others. Petitioners

Versus

State of Uttarakhand and Others. Respondents

Mr. Sanjay Singh, Advocate for the petitioners.

Mr. G.S. Sandhu, Government Advocate for respondent nos. 1 & 2.

None for respondent no. 3.

Hon'ble J.C.S. Rawat, J.

Mr. Sanjeev Singh, Advocate for the petitioners.

Mr. G.S. Sandhu, Government Advocate for respondent nos. 1 & 2.

None for respondent no. 3.

2. Mr. G.S. Sandhu, the learned Government Advocate submits that the writ petition filed by the petitioners has now become infructuous as the police after completion of the investigation in the case has submitted the chargesheet / final report against petitioner nos. 1, 2 & 3 namely, Md. Zauque, Noor Mohamad & Smt. Noor Jayada Begum before the Circle Officer concerned on 30.06.2008 and petitioner nos. 04 & 5 namely, Mansoor & Sahanwaz have not been chargesheeted as no prima facie evidence has been collected against them during investigation. The learned G.A. further submitted that the Circle Officer concerned is likely to submit the chargesheet / final report against petitioners before the court concerned in the near future. This fact has been indicated in Para 2 of the short counter affidavit filed by the State.

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

4. Interim order dated 05.05.2008 shall remain operative till the submission of the chargesheet / final report against petitioners before court concerned.

(J.C.S. Rawat, J.)
30.10.2008

V.K