

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL**

**Criminal writ Petition No. 125 of 2009**

Mukesh Dhiman and others ..... Petitioners

**Versus**

State of Uttarakhand and Others. .... Respondents

Mr. B.M. Pingal, Advocate on behalf of Mr. D.S. Mehta, Advocate for the petitioners.

Mr. Nandan Arya, A.G.A. for respondent Nos. 1 and 2.

None for respondent No. 3.

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

Mr. B.M. Pingal, Advocate on behalf of Mr. D.S. Mehta, Advocate for the petitioners.

Mr. Nandan Arya, A.G.A. for respondent Nos. 1&2.

None for respondent No. 3.

2. After due consideration of the submissions of the learned counsel for the parties; contents of the F.I.R.; and perusal of the medical report, I do not find that the petitioners are entitled to get the reliefs claimed in the writ petition.

3. The writ petition, therefore, fails and is liable to be dismissed and is hereby dismissed in limine.

4. I am refraining from commenting on the merits of the case lest it may adversely affect the petitioners' case at the trial, which is yet to start.

5. However, keeping in view the injuries sustained in the incident, it is made clear if the petitioner No.2 Smt. Rekha Dhiman moves bail petition before the court below, her bail petition shall be disposed of expeditiously without waste of time.

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

31.03.2009

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