

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Writ Petition No. 738 of 2011

Jai Singh
S/o Shri Ranjeet Singh Dudi
R/o Village Dheerwas Chhota
P.O. Kalwas, District Churu (Rajasthan) 331304
Present address No. 6BN/RPSF/'E' Coy/Dayawasti
Delhi 35

.....Petitioner

Versus

1. State of Uttarakhand through Senior Superintendent of Police, District Dehradun
2. Station House Officer,
P.S. Dalanwala
District Dehradun
3. Anirudh Garg, S/o Shri Narendar Nath Garg
R/o 16/12 Shakti Vihar, Phase II, Majra
Dehrdun, District Dehradun

.....Respondents

Mr. Sandeep Tandon, Advocate, with Mr. Mohd. Azim, Advocate,
present for the petitioner.

Mr. S.S. Adhikari, A.G.A., present for the State.

Hon'ble Prafulla C. Pant, J.

Heard.

2. By means of this writ petition moved under Article 226 of Constitution of India, the petitioner has sought quashing of the First Information Report

dated 15.06.2011, registered as crime no. 99 of 2011, relating to offences punishable under section 381, 411 IPC, Police Station Dalanwala, District Dehradun.

3. The theft is said to have been committed in the house of the complainant (at Dehradun). His servant was suspected to have committed the crime. However, during investigation it reveals that while he (the servant) was on way to his home to Jharkhand his belongings were scanned at New Delhi Railway Station, and two RPSF Constables after taking the stolen property from the said person, let him of.

4. Learned counsel for the petitioner pleaded that there is no recovery made from the petitioner .

5. Having considered submissions of learned counsel for the petitioner, and learned counsel for the State, and after going through the papers on record, in the facts and circumstances of the case, this Court is not inclined to interfere with the investigation of the case.

6. Therefore, without expressing any opinion

as to final merits in the matter, the writ petition is dismissed summarily with the observation that if the petitioner Jai Singh surrenders before the court concerned his bail application shall be heard and disposed of without unreasonable delay. (Stay application no. 8944 of 2011, stands disposed of).

Parul

(Prafulla C. Pant, J.)
30.08.2011