

**IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL
Criminal Misc. Application (C482) No.671 of 2010**

1. Sahid Hasan S/o Jahoor
2. Hasmat Ali, S/o Ashraf Ali
Both R/o Village Piran Kaliyar Sharif, Police
Station Kotwali Roorkee, District Haridwar.

.....Petitioners

Versus

1. State of Uttarakhand through Secretary
Home, Dehradun.
2. S.S.I. Kotwali Manglaur, District Haridwar.

.....Respondents

Ms. Arti Tiwari, Advocate, holding brief of Mr. Manish Arora,
Advocate, present for the petitioners.
Mrs. Mamta Bisht, A.G.A., present for the State.

Hon'ble Prafulla C. Pant, J.

Heard.

2) By means of this petition, moved under
Section 482 of Cr.P.C., the petitioners have sought
quashing of the order dated 24.02.2010, passed by
Sessions Judge, Haridwar, in Criminal Revision No.
112 of 2010, whereby said court has affirmed the
order dated 23.01.2010, passed by Judicial
Magistrate, Roorkee, in case No. 153 of 2009, State

Vs. Sahid and others, relating to offence punishable under Section 420 of I.P.C., and one punishable under Section 4/10 of Forest Conservation Act, Police Station, Manglaur, District Haridwar.

3) There are allegations that the petitioners not only got cut thirty trees for which they were given license by the Divisional Forest Officer, but also cut sixteen more trees, in respect of which there was no authority from the Divisional Forest Officer. It appears that at the stage of framing of charge, the petitioners argued that there is no material to frame the charge against the petitioners. However, the trial court, after going through the papers on record, found that there was sufficient material to frame the charge against them. The petitioners challenged the said order dated 23.01.2010, passed by the Magistrate before the revisional court. The said revision was also dismissed after hearing the parties on 24.02.2010, at the stage of admission.

4) Having gone through the impugned orders, this Court finds no illegality in the impugned orders.

5) Therefore, the petition under Section 482 of Cr.P.C., is dismissed summarily, with the

observation that the pleas of innocence raised by the petitioners may be taken before the trial court.

(Prafulla C. Pant, J.)

31.07.2012
JM