

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

Criminal Writ Petition No. 337 of 2012

1. Manoj Dhiman S/o Pyare Lal.
R/o Village Jollygrant Pal Police Station Doiwala,
District-Dehradun.
2. Ravi Kumar S/o Jagdish Prasad R/o Village
Bansiwala, Jhajhra, P.S. Sahaspur, District-Dehradun.

.....Petitioner
Versus

- 1- State of Uttarakhand, through Secretary Home,
Secretariat Complex, Dehradun.
- 2- S.H.O. Police Station Chamba, District-Tehri Garhwal.
- 3- Imtiyaz Ali S/o Sri Nawabudeen, Village Teliwala,
P.S. Doiwala, District-Dehradun.

.....Respondents

Mr. Vipul Painuly, Advocate present of 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 First Information Report dated 13.09.2011 Case Crime no. 16 of 2011, relating to offences punishable under Section 120-B, 420 of I.P.C., registered at Police Station Chamba, District-Tehri Garhwal.

3) The petitioners are police constables. The allegation against them is that in recruitment process of constables in

Tehri Garhwal, they allured the complainant to pay ₹ 1.5 lakh in advance for getting him selected.

4) Learned counsel for the petitioners submitted that the complainant himself filed an affidavit, that he has lodged the first information report on wrong advice.

5) However, after going through the contents of F.I.R. and others papers on record, this court is of the view that it is not a fit case for interferece with the investigation of the case.

6) Therefore, the writ petition is dismissed summarily with the observation that if the petitioners Manoj Dhiman and Ravi Kumar surrender before the court, their bail application shall be heard and disposed of without any unreasonable delay. (Stay application no. 3592 of 2012 also stands dismissed.)

(Prafulla C. Pant, J.)

24.04.2012
mamta