

WPCRL No. 1590 of 2015

Hon'ble Alok Singh, J.

Mr. Manish Arora, Advocate for the petitioners.

Mr. S.S. Adhikari, Brief Holder for the State.

Present petition is filed assailing the F.I.R. Case Crime No. 137 of 2015, under Sections 420, 467, 468, 471 and 120-B I.P.C., Police Station Kotwali Cantt, District Dehradun.

Mr. Manish Arora, learned counsel for the petitioners submits that even if it is presumed that plots of Cooperative Society were allotted in violation of the bye-laws and rules of the Society, Press Reporter has absolutely no locus to set criminal law into motion. Further contends that as to whether allotments are void or voidable can only be agitated and adjudicated before and by the competent court. Mr. Manish Arora, learned counsel for the petitioners further contends that petitioners, however, shall report to the Investigating Officer on or before 30th December, 2015 and shall join the investigation as and when they are required to do so by the I.O.

Mr. S.S. Adhikari, learned Brief Holder, appearing for the State, submits let present petition be disposed of directing the petitioners to join the investigation as stated by Mr. Manish Arora, learned counsel for the petitioners. However, liberty should be granted to the I.O. to get this petition revived, if for the reasons recoded in the case diary, I.O. requires custodial interrogation and arrest of the petitioners.

Order accordingly.

CLMA No. 14475 of 2015 also stands disposed of accordingly.

(Alok Singh, J.)

Dated 23.12.2015

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