

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL**  
**Criminal Misc. Application No. 347 of 2016**  
(Under Section 482 Cr.P.C.)

Dinesh Singh and another

... Applicants

Vs

State of Uttarakhand and another

... Respondents

Mr. Raj Kumar Singh, Advocate for the applicants.

Mr. P.S. Saun, learned Deputy Advocate General assisted by Ms. Sangeeta Bhardwaj, Brief Holder present for the State/respondent.

**Hon'ble Sudhanshu Dhulia, J. (Oral)**

In this case a First Information Report has been lodged by respondent no. 2-Jaya Kaur against the applicants, who is husband and mother-in-law, respectively of the complainant/respondent. Subsequently, the case was registered being criminal case no. 781 of 2016 under Sections 498A/323/504/506 of I.P.C. and Section 3/4 of the Dowry Prohibition Act, which is pending before the Court of Additional Chief Judicial Magistrate 2<sup>nd</sup>, Dehradun. The police after investigating the case submitted the charge-sheet against the applicants before the court concerned. Consequently, the learned Magistrate took cognizance in the matter and issued summons to the present applicants. Hence, the present application under Section 482 Cr.P.C. invoking the inherent jurisdiction of this Court.

Heard Mr. Raj Kumar Singh, Advocate for the applicants, Mr. P.S. Saun, learned Deputy Advocate General assisted by Ms. Sangeeta Bhardwaj, Brief Holder present for the State/respondent and perused the records.

Considering the facts and circumstances of the case this Court is not inclined to interfere in the matter, as far as the proceedings are concerned. Let the proceedings may go on before the court below, in accordance with law

It is however, made clear that in case, the applicants appear before the trial court and move an application for their bail before the Magistrate concerned, the bail application shall be considered, as far as possible on the same day itself. In case, the bail application is deferred for any reason, the learned Magistrate shall

consider granting them an interim bail considering the fact that applicant no. 2 is a women and the matter arises out of a matrimonial dispute.

With the aforesaid observation, the application under Section 482 Cr.P.C. stands disposed.

**(Sudhanshu Dhulia, J.)**

31.03.2016  
Rahul