

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Miscellaneous Application No.741 of 2016
(under Section 482 of Cr.P.C.)

Smt. Anita Negi

.....Applicant

Versus

State of Uttarakhand & another

.....Respondents

Hon'ble Sudhanshu Dhulia, J. (Oral)

1. Mr. Vijay Khanduri, Advocate, present for the applicant.

2. Mr. A.S.Gill, Deputy Advocate General, present for the State of Uttarakhand/respondent no.1.

3. The First Information Report has been lodged by respondent no. 2 against the present applicant, which has been registered as Case Crime No. 50 of 2014, under Section 3 (1) (X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 353/504 of IPC, at Police Station-Karanprayag, District-Chamoli. After investigation police submitted the charge sheet against the present applicant. Thereafter learned Magistrate took cognizance against the present applicant. Hence the present application has been filed by the applicant under Section 482 of Cr.P.C., invoking the inherent jurisdiction of this Court.

4. Considering the facts and circumstances of the case and the nature of offences, no interference is being called for by this Court in the matter.

5. Let the applicant appears before the court concerned and move an application for bail, the same shall be considered, as far as possible on the same day itself on its merit in accordance with law. In case, it is deferred for any reason (including its rejection), the court shall consider granting an interim bail to the applicant. It is further made clear that while considering the bail application of the

applicant, the learned Magistrate shall kept in mind the fact that applicant is a woman.

6. In view thereof, the application filed under Section 482 of Cr.P.C., stands disposed.

(Sudhanshu Dhulia, J.)

30.06.2016

Nitesh