

C-482 Petition No. 566 of 2017

U.C.Dhyani, J.

Mr. Vipul Painuly, Advocate, present for applicants.

Mr. Nandan Arya, learned Deputy Advocate General, assisted by Mr. S.S.Adhikari, Brief Holder, present for the State.

By means of present application under Section 482 Cr.P.C., the applicants seek to quash the charge-sheet, summoning order dated 22.11.2016 passed by learned Judicial Magistrate, Rishikesh, District Dehradun in Criminal Case No. 881 of 2016, under Sections 452, 323, 427, 504 IPC.

After arguing the application 482 Cr.P.C. at some length, learned counsel for the applicants confined his prayer only to the extent that some time be given to the applicants to surrender before the court below and in the meantime, no coercive steps be taken against them.

Learned counsel also argued that since on a bare reading of the first information report the essentials of Section 452 IPC are not made out, therefore, the direction is given to the Trial Court to decide the bail application of the applicants on the same day, subject to their surrender.

Considering the facts of the case and the grounds taken up in the application under Section 482 Cr.P.C., it is provided that the petitioners/applicants shall surrender before the Magistrate concerned, within four weeks, whereafter, they will be dealt with by the learned court below according to Law. No coercive steps shall be taken against the applicants for a period of four weeks from today.

It is also provided that if the petitioners/applicants surrender before the Court concerned well within the stipulated period and seek bail, their bail application(s) shall be decided as expeditiously as possible preferably on the same day.

Application under Section C-482 Cr.P.C. is accordingly disposed of.

(U.C.Dhyani, J.)

28.04.2017

