

WPCRL No. 1641 of 2018

With

CLMA No. 13360 of 2018

Hon'ble Sharad Kumar Sharma, J.

Mr. Bilal Ahmed, Advocate for the petitioner.

Mrs. Manisha Rana Singh, A.G.A. for the State of Uttarakhand takes notices on behalf of respondent Nos. 1 and 2.

In brief, the allegation of the complainant was that on 29.06.2018, he had gone to attend a marriage on his Pulsar Motorcycle bearing No. UP 11AC 9918. When he returned, he found that it has been stolen by someone. The case of the petitioner is that he is not named in the F.I.R., he has been falsely implicated, there is not a single witness of the incident and he has no criminal history.

It is directed that on the petitioner's cooperating with the Investigating Agency in the investigation of the case, the police shall not take any coercive steps for the arrest of petitioner for his alleged involvement in Case Crime No. 415 of 2018 arising out of F.I.R. dated 02.07.2018, registered at Police Station Manglour, District Haridwar for the alleged commission of the offence punishable under Section 379 of the I.P.C. This should not be construed as if this Court have given any expression on merits of the matter.

However, it is made clear that in case if there is any dereliction on the part of the petitioner in creating any impediment in the investigation or not cooperating in the investigation, it would be open for the respondent No. 2 to take appropriate action as per the law.

The Writ Petition stands disposed of. Stay Application No. 13360 of 2018 also stands disposed of.

(Sharad Kumar Sharma, J.)

Dated 31.08.2018

Shiv