

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

29TH APRIL, 2022

CRIMINAL WRIT PETITION NO.709 of 2022

Between:

Gaurav Kumar Ahuja and Another ..Petitioners.

and

State of Uttarakhand and Others. ...Respondents.

Counsel for the Petitioners : Mr. Prince Chauhan, learned counsel.

Counsel for the State/ : Mr. Pratiroop Pandey,
Respondent no. 1 and 2. learned AGA.

Hon'ble Alok Kumar Verma, J.

This Criminal Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of certiorari to quash the impugned First Information Report No.90 of 2022, registered with Police Station Rajpur, District Dehradun for the offence under Sections 420, 406 & 120B IPC.

2. Heard Mr. Prince Chauhan, the learned counsel for the petitioners and Mr. Pratiroop Pandey, the learned AGA for the State.

3. During the arguments, the learned counsel for the petitioners submitted that this writ petition may be disposed of with a direction to the concerned Station House Officer, Police Station Rajpur, District Dehradun, the respondent no.2, and the Investigating Officer to

follow the judgment of the Hon'ble Supreme Court, passed in '**Arnesh Kumar vs. State of Bihar and Another**', (2014) 8 SCC 273, before proceed to arrest the petitioners.

4. The learned counsel for the State has no objection on the above submission of the learned counsel for the petitioners.

5. In view of the above, this Criminal Writ Petition No.709 of 2022 is disposed of with a direction to the Station House Officer, Police Station Rajpur, District Dehradun, the respondent no.2 and the Investigating Officer to follow the guidelines formulated by the Hon'ble Supreme Court in '**Arnesh Kumar vs. State of Bihar and Another**', (2014) 8 SCC 273.

ALOK KUMAR VERMA, J.

Dt: 29.04.2022
Ravi