

(2024) 11 UK CK 0023

Uttarakhand High Court

Case No: Writ Petition Criminal No. 1233 Of 2024

Udayveer

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision: Nov. 11, 2024

Acts Referred:

- Bhartiya Nyaya Sanhita, 2023 - Section 3(5), 109

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Deepak Petshali, K.S. Rawal

Final Decision: Dismissed

Judgement

Pankaj Purohit, J

- By means of this writ petition, the petitioner has impugned F.I.R. No.0997 of 2024, under Sections 109 and 3(5) of the B.N.S. Act, 2023 registered with Police Station Laksar, District Haridwar.
- It is contended by learned counsel for the petitioner that petitioner is not named in the F.I.R., however, from perusal of the F.I.R., it is clear that the petitioner was Driver of the motorcycle on which Ashu and Kaali was sitting who opened fire on respondent no.3-Manish.
- F.I.R. is lodged showing common intention that is defined under Section 3(5) of the B.N.S. Act, 2023. Since the allegations made in the F.I.R. are serious enough, therefore, this Court does not incline to intervene in the matter.
- Accordingly, writ petition is dismissed **in limine**.