

(2024) 11 UK CK 0082

Uttarakhand High Court

Case No: Criminal Writ Petition No. 1164 Of 2024

Vineet Kumar

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision: Nov. 5, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 376(2)(n)
- Bhartiya Nyaya Sanhita, 2023 - Section 115(2), 351(3), 352
- Constitution Of India, 1950 - Article 226

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Prakash Chandra, Kuldeeep Singh Rawal, Meenakshi Sharma

Final Decision: Dismissed

Judgement

Pankaj Purohit, J

1. By means of this writ petition, the petitioner has challenged the First Information Report No.0736 of 2024 dated 21.09.2024 for the offence punishable under Sections 376(2)(n) IPC and 115(2), 351(3), 352 of Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to B.N.S.) registered with Police Station Bhagwanpur, District Haridwar.
2. Heard learned counsel for the parties.
3. From the perusal of the first information report it transpires that contents of FIR are very serious in nature and **prima facie** the offence is made out against the petitioner. Therefore, this Court does not want to interfere in the present FIR by exercising its discretionary jurisdiction under Article 226 of the Constitution of India.
4. Accordingly, the writ petition is dismissed **in limine**.