

(2024) 12 UK CK 0057

Uttarakhand High Court

Case No: Criminal Miscellaneous Application No. 734 Of 2024

Ritik Goswami

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision: Dec. 11, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 354(d), 427, 452, 504, 506, 509
- Protection Of Children From Sexual Offences Act, 2012 - Section 11, 12

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Lalit Goswami, Shweta Badola Dobhal

Final Decision: Dismissed

Judgement

Pankaj Purohit, J

1. This instant C528 application has been filed by the applicant for quashing the cognizance order dated 04.10.2024 issued by learned Special Sessions

Judge, District Pithoragarh in S.S.T. No.41 of 2024, â€œState Vs. Gopal Goswami and othersâ€ arising out of F.I.R No.256 of 2023, under Sections

354(d), 427, 452, 504, 506 and 509 of IPC and Sections 11/12 of POCSO Act, 2012 registered at Police Station Kotwali, District Pithoragarh.

2. From perusal of the F.I.R. the allegations which have been leveled by the private respondents against the applicant are serious enough and prima facie constitute commission of cognizable offence.

3. It is submitted by learned counsel for the applicant that the F.I.R. which has been lodged by respondent no.3 is due to some matrimonial dispute

between Arjun Goswami and Asha Goswami. Arjun Goswami is father of the applicant-Ritik Goswami.

4. This Court while sitting in its inherent jurisdiction of C528 of the B.N.S.S. 2023 is not enjoined to sift the material to find out the truth as alleged in

the F.I.R. and does not want to interfere in the matter.

5. Accordingly, the C528 application stands dismissed.