

**(2015) 12 UK CK 0003**

**Uttarakhand High Court**

**Case No:** 1670 of 2017 (under Section 482 Cr P C )

Neha & another

APPELLANT

Vs

State of Uttarakhand & another

RESPONDENT

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**Date of Decision:** Dec. 4, 2015

**Acts Referred:**

- Code of Criminal Procedure, 1973, Section 482 - Saving of inherent powers of High Court
- Indian Penal Code, 1860, Section 386, Section 389 - Extortion by putting a person in fear of death or of grievous hurt - Putting person in fear of accusation of offence, in order to commit extortion

**Hon'ble Judges:** Sudhanshu Dhulia

**Bench:** Single Bench

**Advocate:** Pooran Singh Rawat, K.H. Gupta, Sangeeta Bhardwaj

**Final Decision:** Dismissed

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**Judgement**

1. Mr. Pooran Singh Rawat, Advocate, present for the applicants.
2. Mr. K.H. Gupta, Ms. Sangeeta Bhardwaj, Brief Holders, present for the State/respondent no. 1.
3. A first information report was lodged by respondent no. 2 against the present applicants, which has been registered as FIR No. 266 of 2017 under Section 386 of IPC, at Police Station Kashipur, District Udham Singh Nagar. After investigation, police filed the charge-sheet against the present applicants under Sections 386 and 389 of IPC. Consequently, the learned Magistrate took cognizance in the matter and issued summons against the present applicants. Hence, this application under Section 482 CrPC before this Court.

**4.** From the perusal of the first information report, prima facie, it appears to be a case of extortion. Therefore, no interference is being called for by this Court in the matter.

**5.** Consequently, the criminal miscellaneous application filed under Section 482 CrPC stands dismissed.