

Allahabad High Court

Fakharuddin & Others vs State Of U.P. & Others on 14 July, 2010

Court No. - 42

Case :- CRIMINAL MISC. WRIT PETITION No. - 12471 of 2010

Petitioner :- Fakharuddin & Others

Respondent :- State Of U.P. & Others

Petitioner Counsel :- S.A. Imam

Respondent Counsel :- Govt. Advocate

Hon'ble Imtiyaz Murtaza,J.

Hon'ble Naheed Ara Moonis,J.

Heard learned counsel for the petitioners and also learned A.G.A. appearing for the State.

We have been taken through the allegations contained in the F.I.R. and the material on record.

Issue notice to respondent no.3 who may file counter affidavit within four weeks. Learned A.G.A. may also file counter affidavit within the same period. Rejoinder affidavit may thereafter be filed within two weeks. List this matter after expiry of the aforesaid period. Till the next date of listing or till submission of charge sheet whichever is earlier, the arrest of the petitioners, namely, Fakharuddin, Sanaullah Khan and Ratan Pal Singh, who are involved in case crime no. 349 of 2010, under Sections 420, 467, 468, 471, 323, 504, 506 I.P.C. and 3(1)X SC/ST Act, Police Station - Kotwali Dehat, District - Buland Shahar shall remain stayed of course subject to the restraint that the petitioners shall fully cooperate with the investigation and shall appear as and when called upon to assist in the investigation.

Order Date :- 14.7.2010 Sunil Kr. Gupta