

WPCRL No.1721 of 2020

Hon'ble N.S. Dhanik, J.

Mr. V.B.S. Negi, Senior Advocate assisted by Mr. Ayush Negi, Advocate for the petitioner.

Mr. T.C. Aggarwal, learned Dy.AG along with Mr. Deepak Bisht, learned Brief Holder for the State of Uttarakhand.

This matter is heard through Video Conferencing.

Petitioner seeks quashing of an FIR No. 302 of 2020, under Sections 376 and 506 IPC, Police Station Nehru Colony, District Dehradun.

According to the FIR, the husband of the petitioner sexually exploited the informant on multiple occasions. Resultantly, she delivered a child from the husband of the petitioner. When the informant claimed right for her child, it is the petitioner who tried to hush up the matter by offering money to the informant and she is trying to pressurize the informant. The informant is being threatened. The FIR is quite in detail.

Learned counsel for the petitioner would submit that the petitioner earlier filed an FIR against the informant and thereafter, as a counter blast, the instant FIR is filed.

Subsequent FIR may not always be termed as counter blast. But, having considered the averments made in the FIR, this Court is of the view that this matter definitely requires further deliberation.

Issue notice to the respondent no.3.

Counter affidavit be filed within four weeks.

List on 09.11.2020 along with WPCRL No. 1354 of 2020 which has been

filed by the informant of the case and others.

Till the next date of listing no coercive steps shall be taken against the petitioner provided she cooperates with the investigation.

(N.S. Dhanik, J.)

19.10.2020

Balwant/Sukhbant