

Hon'ble Ravindra Maithani, J.

Mr. Deep Chandra Joshi,
Advocate for the petitioners.

Mr. V.S. Rawat and Mr. Vipul
Painuly, Brief Holders for the
respondent nos.1 and 2.

Mr. Alok Kumar, Advocate for
respondent no.3.

The challenge in this petition is
made to FIR No. 692 of 2023, dated
14.09.2023, under Sections 323,
420, 504, 506 IPC, Police Station
Kotwali Jwalapur, Haridwar, District
Haridwar.

Heard.

According to the FIR, the
petitioner assured the respondent
no.3 ("the informant") for the
Government job; gave him some
Joining Letter and induced him to
deliver money, which the informant
delivered. But subsequently, it was
revealed that everything was forged.
When approached, the FIR records
that the petitioners threatened and
abused the informant.

Learned counsel for the
petitioners would submit that earlier
the brother-in-law of the informant,
who is Arjun Kumar had filed an
application under Section 156(3) of
the Code of Criminal Procedure,
1973 with the similar allegations,
which was rejected by the

Magistrate having competent jurisdiction on 01.07.2022, against which, the revision has also been dismissed. Thereafter, Arjun Kumar made the informant to file instant FIR.

Learned counsel for the informant would submit that the case of the informant Arjun Kumar is different. He admits that Arjun Kumar is brother-in-law of the informant. He also admits that the allegations are similar in nature.

Having considered, this Court is of the view that this matter requires deliberation.

Learned Brief Holder takes notices on behalf of respondent nos.2 and 3.

Mr. Alok Kumar, Advocate takes notice on behalf of respondent no.3.

Admit.

Counter affidavits to be filed within four weeks.

Two weeks thereafter, rejoinder affidavit, if any, may be filed.

List for final hearing on 16.02.2024.

Having considered, as an interim measure, till the next date of listing, no coercive steps shall be taken against the petitioners,

provided they cooperate with the investigation.

Stay Application (IA) No.1 of 2023, stands disposed of accordingly.

(Ravindra Maithani, J.)

27.09.2023

Sanjay