IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (CRL) No. 194 of 2020

Monu Kumar ...Petitioner

Vs.

State of Uttarakhand and others ...Respondents

Shri Harshit Sanwal, learned counsel appearing for the petitioner's counsel Shri Pankaj Kapil.
Shri J.S. Virk, learned deputy advocate general for the State of Uttarakhand.
Ms. Shilpi Lawrence, fourth respondent, party-in-person.

18th November, 2020

Coram: Hon'ble Ravi Malimath, A.C.J.
Hon'ble Ravindra Maithani, J.

Ravi Malimath, A.C.J. (Oral)

Exemption applications (CLMA No. 9156 of 2020 and CLMA No. 9472 of 2020) are allowed and the counter affidavits are taken no record. Exemption application (CLMA No. 9315 of 2020) is allowed for the present. Miscellaneous application (IA No. 10946 of 2020), along with rejoinder affidavit, is taken on record.

2. This petition has been filed seeking for a writ of mandamus to direct the respondents not to arrest the petitioner pursuant to the F.I.R. lodged by respondent no. 4 etc.

3. In terms of the order dated 10.02.2020, an interim protection was granted to the petitioner directing the respondents not to take any coercive steps by the next date. The said order was continued thereafter.

4. Presently, the learned deputy advocate general for the State submits that the petitioner was considered as a witness in the said F.I.R. No. 301 of 2019. He further submits that they have never harassed or tortured the petitioner in any manner whatsoever and none of the allegations made by the petitioner are true.

5. On hearing learned counsels, we do not find that there is any purpose in continuing this writ petition. The statement of the learned deputy advocate general for the State that they have not caused any loss or hardship to the petitioner is stated in their counter affidavit. It is also stated that they have not even arrayed the petitioner as an accused, but he was only considered as a witness in the said crime.

6. Under such circumstances, we do not find any reason to proceed further in this matter. The writ petition is disposed off accordingly.

7. Pending application (CLMA No. 9316 of 2020) also stands rejected.

(Ravindra Maithani, J.)
18.11.2020

(Ravi Malimath)
A.C.J.
18.11.2020

R.P.