SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			WPCRL No.2195 of 2026 Parminder Singh alias Parvinder .....Petitioner Vs. State of Uttarakhand and others .....Respondents **Hon'ble Pankaj Purohit, J.** Mr. Gaurav Singh, learned counsel for the petitioner. 2. Mr. Tumul Nainwal, learned A.G.A. for the State. 3. Mr. M.S. Rawat, learned counsel for respondent no.3. 4. Petitioner has impugned FIR No.1098 of 2026 dated 24.10.2026 under Sections 109(1), 115(2), 309(4), 351(3), 352 of B.N.S. 2023 and Section 3(1)(r) of Scheduled Castes and Scheduled Tribes Act, 1989 (hereinafter referred to as "Act of 1989") registered at Police Station-Laksar, District-Haridwar. 5. It is contended by learned counsel for the petitioner that the FIR was lodged by respondent no.3 in order to falsely implicate the petitioner, as he is a property dealer. He further submits that, on the face of the FIR, an attempt was made to strangulate the informant by a cloth; however, as per the medical report, the injuries sustained by the informant were reportedly caused by a hard and blunt object. 6. He further submits that, as per the report produced before this Court by the learned State counsel, on instructions, there is one contusion measuring 8 x 2.5 cm around the neck of the informant. He further submits that the medical examination was conducted after ten days of the incident and that the averments made in the FIR do not fulfill the ingredients of the offence under the Act of 1989.

			7. *Per contra*, learned counsel for the State submits that the contusion found on informant's neck *prima facie* corroborates the allegations made in the FIR regarding an attempt to strangulate respondent no.3-informant by putting a cloth around his neck. He further submits that, as stated in the FIR, the informant was thrown out of the car and the injuries caused by a hard and blunt object may have been sustained during the ensuing scuffle. However, he fairly admits that there is, as yet, no evidence regarding the presence of any persons in the car apart from the driver and the petitioner, and, therefore, petitioner's contention that the offence under the Act of 1989 may not have been committed, as the incident did not take place in public view, cannot be ruled out. 8. Learned counsel for respondent no.3-informant adopted argument advanced by learned State counsel, however he submits that the offence of Act of 1989 has also been committed as disclosed in the FIR. 9. However on a pointed query put by this Court learned counsel for respondent no.3 cannot name any of the persons who were inside the car apart from the petitioner and driver. 10. At this juncture, it cannot be said that the FIR discloses commission of cognizable offence under the Act of 1989 though it may be subject to evidence collected during investigation. 11. Having heard learned counsel for the parties and having examined the FIR meticulously, this Court is of the view that a *prima facie* case is made out against the petitioner. 12. Serious allegations are there in the FIR. Both –

petitioner as well as respondent no.3-informant – are property dealers and in such view of the matter the incident cannot be ruled out; however from bare perusal of the FIR it is clear that an ingredient of Act of 1989 are not there in the FIR, though ingredients of other offences are there which disclose commission of heinous offence.

13. Accordingly no interfere is warranted and the writ petition is dismissed.

(Pankaj Purohit, J.)
17.11.2026

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SHUBHAM KAPRUWAN