

CASE NO.:
Appeal (crl.) 136 of 2008

PETITIONER:
Ankita Goel

RESPONDENT:
Ashish Goel & Ors

DATE OF JUDGMENT: 21/01/2008

BENCH:
ASHOK BHAN & AFTAB ALAM

JUDGMENT:
JUDGMENT

O R D E R

CRIMINAL APPEAL NO.136 OF 2008
[Arising out of S.L.P.(Crl.)No.2908 of 2007]

Leave granted.

Respondents filed an application before the High Court of Gujarat for setting aside FIR No.119 of 2006 lodged by the appellant at Mahila Thana, Lucknow, Uttar Pradesh for offences under Section 498A/323/504/506, IPC and 3/4 of Dowry Prohibition Act with a prayer for ad interim relief.

The High Court, by the impugned order, while issuing notice in the matter, has stayed the investigation in respect of the aforementioned FIR.

In the facts and circumstances of the case, we are of the view that the High Court should not have stayed the investigation. Accordingly, the impugned order is set aside and the case is remitted to the High Court for deciding the dispute on merits in accordance with law without being influenced by any of the observations made hereinabove.

The appeal is allowed accordingly.