

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 439-440 OF 2004

GUJARAT NARMADA VALLEY FERTI.CO.LTD.&ANR

Appellant (s)

VERSUS

STATE OF M.P. & ANR.

Respondent(s)

(With office report)

Date: 26/05/2009 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE DEEPAK VERMA

[VACATION BENCH]

For Appellant(s) Mr. P.H.Parekh, Sr. Adv.

Ms. Pooja Malik, Adv.

Ms. Pallavi Srivastava, Adv.

Mr. Vishal Prasad, Adv.for

M/S. Parekh & Co.,Adv.

For Respondent(s) Mr. S.K.Dubey, Sr. Adv.

Mr. C.D. Singh,Adv.

Mr. Aditya Singh, Adv.

UPON hearing counsel the Court made the following
ORDER

The Appeals qua appellant No.1 is dismissed and the appeals
in respect of appellant No.2 are accepted in terms of the signed order.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[Signed Order is placed on the File]
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.439-440 OF 2004

Gujarat Narmada Valley

Fertilizers Co. Ltd. & Another

..Appellants

versus

State of Madhya Pradesh & Another

..Respondents

ORDER

Heard learned counsel for the parties.

These Appeals have been filed against the impugned judgment
of the High Court of Madhya Pradesh at Jabalpur in Misc. Criminal

Case No. 7335/1997 and Criminal Revision No. 1225 of 1997

whereby the High Court has dismissed both the petitions.

Shri P.H.Parekh, learned senior counsel appearing for the appellants stated that, on instructions, he is not pressing the appeals in respect of appellant No.1 and confined his arguments only in respect of K.C.Mahapatra, appellant No.2.

Admittedly, K.C.Mahapatra, appellant No.2 was appointed as a Managing Director of the appellant No.1-company on 07th January, 1997 whereas the alleged incidents are of July and November, 1996. Hence, appellant No.2 has

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nothing to do with the alleged offences.

Accordingly, we accept these appeals only in respect of appellant No.2 and the proceedings against him in Criminal Case No.1/1997 pending before the Special Judge, Bhopal are quashed.

The Appeal qua appellant No.1 is dismissed.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
MAY 26, 2009.

.....J.
[DEEPAK VERMA]