

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).3775-3776/2010

(From the judgements and orders dated 23/09/2008 in CRLRA No.74/2008 and dated 07/01/2009 in MCRLA No.3982/2008 of The HIGH COURT OF BOMBAY BENCH AT NAGPUR)

VARSHA Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS. Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP)

Date: 05/09/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Ms. Aishwarya Bhati, Adv. (SCLSC)
Ms. Jyoti Upadhyay, Adv.

For Respondent(s) Mr. Mike Prakash Desai, Adv. for
Ms. Asha Gopalan Nair, Adv.

Mr. Sanjay Kr. Hadala, Adv.
Mr. S. Rajappa, Adv.

UPON hearing counsel the Court made the following
O R D E R

Delay condoned.

Leave granted.

The Appeals are disposed of in terms of the signed order.

(Rajesh Dham)
Court Master

(Indu Satija)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S) 1723-1724 OF 2011
(arising out of S.L.P. (Crl) No(s).3775-3776 of 2010)

VARSHA Appellant(s)

VERSUS

STATE OF MAHARASHTRA & ORS. Respondent(s)

O R D E R

Heard learned counsel for the parties.

Delay condoned.

Leave granted.

These Appeals have been filed against the impugned orders dated 23.09.2008 in Criminal Revision Application No. 74 of 2008 and dated 07.01.2009 in Misc. Criminal Application No. 3982 of 2008 passed by the High Court of Judicature at Bombay, Nagpur Bench.

The impugned order dated 23.09.2008 merely states :-

"Heard learned Adv. Mrs. Smita Taksande for petitioner and learned APP. Shri V.A. Thakre.

Keeping liberty of applicant to move this court to seek leave to assist prosecution if it files appeal against order of acquittal, present petition dismissed."

We are not satisfied with the manner in which the criminal revision application has been disposed of by the

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CRL.APPEALS @ S.L.P. (Crl) No(s).3775-3776 of 2010

High Court. No reasons have been given therein, except to state that if the State files an appeal against order of acquittal, the applicant may seek leave to assist the prosecution.

We are informed that the State never filed any appeal.

Consequently, we set aside the impugned orders and remand the matter to the High Court for expeditious disposal of the criminal revision application.

The Appeals are disposed of accordingly.

.....J.
(MARKANDEY KATJU)

NEW DELHI;
SEPTEMBER 05, 2011

.....J.
(CHANDRAMAULI KR. PRASAD)