

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).747/2009

(From the judgement and order dated 05/12/2008 in CRLMP No. 26951-M of 2006 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SUSHIL SATIJA & ORS.

Petitioner(s)

VERSUS

BHARAT KUMAR & ORS.

Respondent(s)

(With appln(s) for stay and office report)
(For final disposal)

Date: 05/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. Pramod B. Agarwala, Adv.
Mr. Abhishek Baid, Adv.
Ms. Praveena Gautam, Adv.

For Respondent(s)

Mr. Adish C. Agarwala, Sr.adv.
Ms. Savitri Pandey, Adv.
Mr. Shrish Agarwal, adv.
Mr. Abhinav Singh, Adv.
Mr. Kuldip Singh, Adv.

Mr. Devinder Pratap Singh, Adv.
Mr. Aribam Guneshwar Sharma ,Adv

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

Leave granted.
This appeal is allowed in terms of the signed
order.

(Sukhbir Paul Kaur)
Court Master

(Vijay Dhawan)
Assistant Registrar

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.697 OF 2010
(Arising out of S.L.P.(Crl.)No.747 of 2009)

SUSHIL SATIJA & ORS.

Appellant(s)

Versus

BHARAT KUMAR & ORS.

Respondent(s)

O R D E R

We have heard learned counsel for the parties.

Leave granted.

This appeal by special leave is directed against the judgment and order dated 5.12.2008 in Cr.M.P. No.26951-M of 2006 passed by the High Court of Punjab and Haryana at Chandigarh whereby the learned Single Judge allowed the petition of the Respondent No.1 herein for directions to the authorities to register FIR against the petitioners herein.

The report submitted by the Senior Superintendent of Police, Ferozepur, Punjab pursuant to this Court's directions states in clear and categorical terms that the first information report lodged by Respondent Nos. 2 to 4 for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 120B of the Indian Penal Code "are not found to have been committed". The S.H.O. was directed by the

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-2-

proceedings dated 6.3.2009 for the cancellation of the first information report dated 11.1.2009.

Be that as it may, no objections were preferred by the respondents to this report submitted by the Superintendent of Police pursuant to our directions. It is thus clear that the allegations made in the first information report are baseless. No further investigation can be allowed to go on pursuant to the first information report. The first information report is accordingly, quashed.

This appeal is accordingly, allowed.

.....J.
(B.SUDERSHAN REDDY)

.....J.
(SURINDER SINGH NIJJAR)

New Delhi,
April 05, 2010