

IT E M NO.3 1

COURT NO.7

S E C T I O N II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).4 3 3 8 / 2 0 0 7

(From the judgement and order dated 10/ 1 0 / 2 0 0 6 in Crl.M.C. No. 23 7 6 / 2 0 0 5 & Crl. M.C. No. 23 7 7 / 2 0 0 5 & Crl.M. No. 57 5 3 / 2 0 0 5 of The HIGH COURT OF DE L H I AT N. DE L H I)

KUNA L LA L A N I & ANR.

Petitioner(s)

V E R S U S

STA T E (GOVT. OF NCT OF DE L H I) & ANR.

Respondent(s)

(With appln(s) for stay and deletion of the name of petitioner No.2 from the array of parties and placing addl. documents and office report))

WI T H SL P(Crl) NO. 46 7 8 of 20 0 7

(With Appln.(s) for stay and office report)

SL P (Crl) NO. 46 7 9 of 20 0 7

(With Appln.(s) for stay and office report)

Date: 16/ 0 5 / 2 0 0 8 These Petitions were called on for hearing today.

CORAM :

HON' B L E MR. JUS T I C E A.K. MATHU R

HON' B L E MR. JUS T I C E AF T A B ALAM

For Petitioner(s) Mr. Shyam Divan, Sr. adv.

Mr. Arun Kathpali a, Adv.

Mr. Vivek Mallik, Adv.

Ms. Shipra Ghose, Adv.

For Respondent(s)

For R R- 2

Mr. Rajesh Mittra, Adv.

For R R- 1

Mr. B. Dutta, ASG

Ms. Kira n Bhardw aj, adv.

Ms. S avitri P a ndey, Adv.

Mr. D.S. Mahra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Learned counsel for the petitioners- accused submit that they resign
ed

from the post of Director on 1.8. 1 9 9 6 , much before the issuance of the chequ
e

dated 26. 1. 1 9 9 9 . He further submits that there are documents to show tha
t

2

the petitioners have already resigned from the Directorship and all necessa ry
formalities have been completed before the date of issue of cheque.

Learned counsel for respondent No. 2 submits that all the documents
are pre- dated documents to avoid any consequences. We are not going into all
these factual aspects. We leave it open for the petitioners to bring these

documents to the notice of the Trial Court before charge is framed and in case it is found that the petitioners have already resigned before the date of issue of cheque, then appropriate orders will be passed by the Trial Court. However, at this stage we are not inclined to interfere in these special leave petitions. The same are dismissed.

(Ajay Kr. Jain)
Court Master

(Usha Sharma)
Court Master