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SLP(C)No. 8409-8411 OF 2003
ITEM No.4

Court No. 3

SECTION IVA
A/N MATTER

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

IA No 9-11 In Petition(s) for Special Leave to Appeal (Civil) No.8409-8411/2003

(From the judgement and order dated 21/01/2002,29.7.2002
and 3.1.2003 in WP 88/01 of The HIGH COURT OF M.P AT GWALIOR)

STATE OF M.P. AND ORS.

Petitioner (s)

VERSUS

PAHAD SINGH AND ORS.

Respondent (s)

(With Appln(s). for directions)
(With Office Report)

Date : 16/06/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s)

Mr. Satish K. Agnihotri,Adv.

For Respondent (s)

For R.4 CBI

Mr. M.P.Mayee,Adv.

Mr.P.Parmeswaran,Adv.

UPON hearing counsel the Court made the following

O R D E R

Learned counsel for the State of Madhya Pradesh states that investigation in Crime No. 77/2K under Secs. 302, 307 and 34 IPC is complete and the papers have been submitted to Police Headquarters (CID Bhopal PHQ) . Mr. Purshottam Shama, Addl. SP, CID, PHQ states that

-2-

papers were actually delivered to PHQ on 21.4.2003. If that be so, it is a sad story to notice that the papers are pending with PHQ for almost two months for the purpose of forming an opinion, as the learned counsel for the State submits , whether an offence under Sec.302 or 304 Part II IPC is made out or not. However, he states that the challan shall be immediately filed in the concerned court. Let it be done. The Court before which the challan is filed, shall form its opinion whether any further investigation is required or not and shall proceed expeditiously with the hearing of the case. Subject to the challan being filed within a week , the operation of the order made by the High Court of M.P. dated 2.5.2003 shall remain stayed until further orders. However, along with challan, the case diary and all other connected papers, if any, shall also be produced in the Court, which on verification by the concerning Magistrate, shall be kept in sealed cover and safe custody.

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