

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 (Civil) No(s).6806/2006

(From the final judgement and order dated 29/11/2005 in CM No.
2258/2005 in CWP No.1194 of 2005 of The HIGH COURT OF H.P AT SHIMLA)

LAJWANTI

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

(With appln(s) for exemption from appointment of official
translator,impleadment and prayer for interim relief))

Date: 28/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Ms. Ragini Tarkroo, Adv.
Ms. Jyoti Mendiratta, Adv.
Ms. Aparna Bhat, Adv.

For Respondent(s)

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

Heard counsel for the petitioner.

No orders on the application for impleadment.

The petitioner has made certain allegations which, if found
to be true, may amount to an offence under the IPC. Unfortunately,
after the police found no case on the basis of the FIR filed by her,
the petitioner has been moving different authorities but without

getting any relief. In fact the proper course for the petitioner would have been to move the concerned Magistrate with a complaint and sought prosecution of the alleged offenders. She can still do that.

-2-

We however, direct that any observation made by the High Court in the impugned order should not prejudice the case of the petitioner in case such a complaint is filed. The complaint must be considered in accordance with law on its own merit. We also hasten to add that anything said in this order should not be construed as expression of opinion on the merit of the case. In case a complaint is filed, the Magistrate will apply his mind to the material brought on record and pass appropriate orders without being influenced by anything said in this order or in the impugned order of the High Court.

The Special Leave Petition is disposed of.

(SUKHBIR PAUL KAUR)
COURT MASTER

(VIJAY DHAWAN)
COURT MASTER