

IT E M NO.4 6

COUR T NO.8

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).8 5 7 / 2 0 0 7

(From the judgement and order dated 18 / 1 2 / 2 0 0 6 in SBC R L M P No. 9 8 5 / 2 0 0 2  
of The HIGH COUR T OF RA J A S T H A N AT JO D H P U R )

S.B.GAN GU L Y &amp; ORS.

Petitioner(s)

V E R S U S

D E V E N D R A K U M A R &amp; ANR.

Respondent(s)

(With appln(s) for stay and permission to file additional documents  
and office report)

Date: 0 4 / 0 2 / 2 0 0 8 This Petition was 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 AFTA B ALAM

For Petitioner(s) Ms. Swati Sinha, Adv.  
Ms. Jayasree Singh, Adv.  
for M/S Fox Mandal & Co., Adv.

For Respondent(s) Mr. P.V. Yogeswa ra n, Adv.

Mr. Jatinder Kuma r Bhatia, Adv.

0 4 . 0 2 . 2 0 0 8

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

Heard learned counsel for the parties.

Learned counsel for respondent No. 1 states tha  
t in view of the

compromise entered into between the parties, he has already moved an application

for withdrawal of the complaint before the Trial Court. Learned  
counsel for thepetitioners states that they have already replaced 36 batteries, which statement  
is

also admitted by counsel for respondent No. 1. In view of the statement made by

counsel for respondent No. 1 that he has already moved an application

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for withdrawal of the complaint and the fact that the 36 batteries have been

replaced by the petitioners, we do not think that any useful purpose will be served

by prosecuting the case before the Trial Court. Accordingly, we dispose of this

special leave petition with a direction to quash the proceedings in Case FI R No.

34 4 / 2 0 0 1 pending before the Chief Judicial Magistrate, Bika ner and set aside the  
impugned judgment and order of the High Court.

(Ajay Kr. Jain)  
Court Master

(Vijay Dhawan)  
Court Master