

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).3667/2013

(From the judgement and order dated 22/11/2012 in CRMWP No. 16698/2012 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

ARUN KUMAR TYAGI

Petitioner(s)

VERSUS

STATE OF U.P. AND ANR

Respondent(s)

(With application for stay of arrest, stay, permission to file additional documents, permission to appear and argue in person and office report)

Date: 17/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

In-Person

For Respondent(s)

For RR 1

Mr. Garvesh Kabra, Adv.

Mr. Abhishek Chaudhary, Adv.

Mr. Neeraj Shekhar, Adv.

For RR 2

Mr. Swetank Shantanu, Adv.

Mr. Pratap Shanker, Adv.

Mr. Neeraj Shekhar, Adv.

Mr. Ashutosh Thakur, Adv.

UPON hearing counsel the Court made the following

O R D E R

This Special Leave Petition has been filed by the petitioner against the order of the High Court refusing to quash the FIR NO. 261 of 2012 dated 25th October, 2012 alleging an offence under Section 406 of the Indian Penal Code of Police Station Noorpur, District Bijnor in Criminal Miscellaneous Petition No. 16698 of 2012 filed by the petitioner.

On a perusal of the reply filed by the State of Uttar Pradesh, we find that after investigation the police has in the meanwhile filed Charge Sheet No. 86 of 2013 in Criminal Appeal No. 482 of 2012 pursuant to the said First Information Report. Considering the aforesaid development, we are not inclined to interfere with the impugned order passed by the High Court. We, accordingly, dismiss the same, but we grant to the petitioner a month's time to appear before the trial court and apply for regular bail and direct that during this period of one month, the petitioner will not be arrested.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER

