

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 SPetition for Special Leave to Appeal (Crl.) No.3462/2021

(Arising out of impugned final judgment and order dated 24-03-2021 in MCRC No. 4734/2021 passed by the High Court of M.P. Principal Seat at Jabalpur)

BABITA JAISWAL

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No. 58360/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT & IA No. 58363/2021 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 3931/2021 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 64031/2021, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 64032/2021 & FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 64033/2021)

Date : 01-02-2022 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Mr. Akshat Shrivastava, AOR
Mrs. Pooja Shrivastava, Adv.

Mr. Susheel Tomar, Adv.
Mr. Nikhil Jain, Adv.
Mr. Satyaprakash, Adv.
Mr. Sanjeev Malhotra, AOR

For Respondent(s)

Ms. Ankita Choudhary, Dy.AG, MP
Mr. Sunny Choudhary, AOR

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

The Court is convened through Video Conferencing.

This Court on 30-4-2021 passed the following Order in Special Leave Petition (Crl.) No.3462 of 2021:-

"Issue notice.

In the meantime, the petitioner is granted interim protection from arrest in Crime No.612 of 2020 registered at Police Station Barhi, District, Katni, Madhya Pradesh subject to the petitioner will cooperate with the investigation/investigating agency."

Subsequently, this Court on 22-6-2021 passed the following Order in Special Leave Petition (Crl.) No.3931/2021:-

"Issue notice.

To be heard along with SLP (Crl.) No. 3462/2021.

In the meantime, the petitioner is granted interim protection from arrest in FIR No. 612/2020 registered before PS Barhi District Katni, M.P. subject to the petitioner cooperating with the investigation/investigating agency."

Exemptions are allowed.

Heard learned counsel appearing for the petitioners and learned Deputy Advocate General appearing for the State of Madhya Pradesh.

We find that the State of Madhya Pradesh has not filed its counter affidavit in the matter so far.

Taking into consideration the fact that more than 9/7 months have passed since passing of the said interim Orders and nothing is brought on record by the State to show that the petitioners have misused the concession of interim protection granted to them, we make the said interim Orders dated 30-4-2021 and 22-6-2021 absolute.

The Special Leave Petitions are disposed of in the afore-stated terms.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)