

ITEM NO.7 Court 3 (Video Conferencing) SECTION 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 (Cr1.) No(s).3557/2020

(Arising out of impugned final judgment and order dated 20-12-2019 in A482 No. 11826/2015 passed by the High Court Of Judicature At Allahabad)

ASLAMA TABASSUM

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

WITH

SLP(Cr1) No. 3878/2020 (II)

Date : 05-11-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MS. JUSTICE INDU MALHOTRA

HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Ms. S. Janani, AOR

For Respondent(s)

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

1 Ms S Janani, learned counsel appearing on behalf of the petitioner, submits that apart from the provisions of Sections 419 and 420 of the Indian Penal Code 1860¹, the contents of the FIR clearly implicate the existence of a criminal conspiracy within the meaning of Section 120B of the Penal Code. In addition, Section 506 is attracted.

2 Relying on the FIR, it has been submitted that the case of the petitioner is that the property was transferred to her on 30 November 1995 by the Sub-Divisional

1 "IPC"

Officer and that she has been living in the house as an exclusive owner of the property. The FIR also states that Accused Nos 10 and 11 are witnesses to the fraudulent sale deed which was executed by impersonating them as owners of the property. It has been submitted that though the petitioner has filed a suit for the cancellation of the sale deed, that does not furnish a valid reason to quash the FIR where the allegations on the face of the FIR, indicate the ingredients of the offences alleged.

- 3 Issue notice, returnable in eight weeks.
- 4 Liberty to serve the Standing Counsel for the State of Uttar Pradesh, in addition.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER