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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 535 OF 2016
[@ SPECIAL LEAVE PETITION (CRL.) NO. 5794 OF 2015]
RAJESH RANJAN VERMA Appellant(s)

VERSUS

STATE OF BIHAR Respondent(s)

O R D E R

Delay condoned.

Leave granted.

It appears that the appellant, although convicted under Section 498A IPC, has been acquitted under Sections 304B and 306 IPC. Further, on a required scrutiny of evidence on record, according to us, no case can be maintained under Section 498A IPC as well. The appellant is a Government servant and the sentence, which has been passed under Section 498A IPC, has already been served by him. In the given facts, the conviction under Section 498A of IPC is not maintainable. We, thus, set aside the order of conviction passed under Section 498A IPC against the appellant.

The appeal is thus allowed on the above terms.

However, we make it clear that this order would not entitle the appellant to allege malicious prosecution or lay any claim for compensation in any manner.

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However, this would not stand in the way of the appellant to apply before the Government seeking restoration of his job where he has served, in accordance with law.

.....J.

[PINAKI CHANDRA GHOSE]

.....J.

[AMITAVA ROY]

New Delhi;
MAY 30, 2016.

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ITEM NO.35 COURT NO.3 SECTION IIA
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 (Crl.) No(s). 5794/2015
(Arising out of impugned final judgment and order dated 28/10/2009
in CRLAP No. 354/1993 passed by the High Court Of Patna)

RAJESH RANJAN VERMA Petitioner(s)

VERSUS

STATE OF BIHAR Respondent(s)
(with application for c/delay in filing SLP, exemption from filing
O.T., directions and office report)

Date : 30/05/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

HON'BLE MR. JUSTICE AMITAVA ROY

(VACATION BENCH)

For Petitioner(s) Mr. Ranjan Mukherjee, Adv.

For Respondent(s) Mr. Siddharth Garg, Adv.

Mr. Abhinav Mukerji, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

The appeal is allowed in terms of the signed order.

Pending interlocutory applications, if any, are disposed of.

(Jayant Kumar Arora)

Sr. P.A. (Sneh Lata Sharma)
Court Master
(Signed order is placed on the file)