

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1775 OF 2012
(Arising out of SLP(CrI) No. 2496 of 2012)

MADHUKAR RAMCHANDRA BHANDARKAR

Appellant

VERSUS

PRITI BRIJENDRA JAIN & ANR

Respondents

O R D E R

1. Leave granted.

2. This appeal is directed against the judgment and order passed by the High Court of Judicature at Bombay in Criminal Application No. 1160 of 2011 dated 22.03.2012. By the impugned judgment and order, the High Court has affirmed the order passed by the learned Magistrate issuing process on a complaint filed by the private respondent herein.

3. We have carefully gone through the order passed by the learned Magistrate as well as the order passed by the High Court of Bombay in Criminal Application No. 1160 of 2011.

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4. We have heard Mr. Salve, learned senior counsel for the petitioner and Mr. Marlapalle, learned senior counsel for respondents. Mr. Marlapalle states that his client is not interested in pursuing with the prosecution.

4. Keeping in view the peculiar facts and circumstances of this case as also the fact that the private-respondent is not interested in prosecuting the matter any further and the investigating agency having found the allegation to be unsubstantiated, we are of the opinion that no useful purpose

shall be served by allowing the prosecution to go on.

5. Accordingly, we allow the appeal and set aside the order passed by the learned Magistrate.

Ordered accordingly.

.....J.
(H.L. DATTU)

.....J.
(CHANDRAMAULI KR. PRASAD)

NEW DELHI
NOVEMBER 05, 2012

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ITEM NO.6

COURT NO.7

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 (Cr1) No(s).2496/2012

(From the judgement and order dated 22/03/2012 in CRA No.1160/2011,
of The HIGH COURT OF BOMBAY)

MADHUKAR RAMCHANDRA BHANDARKAR

Petitioner(s)

VERSUS

PRITI BRIJENDRA JAIN & ANR

Respondent(s)

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

WITH SLP(Cr1) NO. 4478-4479 of 2012
(With appln(s) for stayoffice report)

Date: 05/11/2012 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s)
SLP(Cr1) 2496/12
Mr. H.N. Salve, Adv.
Mr. B.P. Patil, Sr. Adv.
Mr. Shivaji M. Jadhav, Adv.
Mr. Anish R. Shah, Adv.
Mr. S.R. Mithare, Adv.

SLP(Cr1) 4478-79/12
Mr. Sanjay Gupta, Adv.
Mr. Ajay Monga, Adv.
Mr. Ateev Mathur, Adv.

Mr. Dev Mani Bansal, Adv.
Mr. Arun Kumar Beriwal, Adv.

For Respondent(s) Mr. B.H. Marlapalle, Sr. Adv. (For R.1)
SLP(Cr1.) 2496/12 Mr. Satish Vig, Adv.

SOM Mr. Shankar Chillarge, Addl. Govt. Adv.
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Ms. Asha Gopalan Nair, Adv.

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

SLP(Cr1.) No. 2496 of 2012

Leave granted.

Appeal is allowed in terms of the signed order.

SLP(Cr1.) 4478-4479 of 2012

List these matters in regular course.

(NAVEEN KUMAR)
COURT MASTER

(VINOD KULVI)
COURT MASTER

(Signed order is placed on the file)