

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).3916/2012
(From the judgment and order dated 03/11/2011 in CRLM No.33219/2011 of The
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

HARPREET SINGH Petitioner(s)

VERSUS

KAVITA CHAUDHARY & ORS. Respondent(s)

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

Date: 26/03/2014 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. J.S. Puri, Adv.
Mr. Yash Pal Dhingra, Adv.

For Respondent(s) Mr. Manjit Dalal, AAG
Mr. V.N. Subramaniam, AAG
Mr. Kamal Mohan Gupta, Adv.

Mr. S.K. Verma, Adv.

Dr. Shiva Sharma, Adv.
Mr. Daya Krishan Sharma, Adv.

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

Leave granted.
The appeal is allowed in terms of the signed order.

|(VINOD LAKHINA)
|COURT MASTER

| |(INDU BALA KAPUR)
| |COURT MASTER

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(SIGNED ORDER IS PLACED ON THE FILE)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 691 OF 2014
[Arising out of Special Leave Petition (Criminal) No.3916 of
2012]

VERSUS

KAVITA CHAUDHARY & ORS.

...RESPONDENTS

ORDER

Leave granted.

In our opinion, the impugned order passed by the High Court cannot be sustained insofar as it records adverse comments against the appellant. Having concluded that the respondents Nos. 1 and 2 did not have any locus standi to file petition under Section 482 of the Code of Criminal Procedure, 1973, the same could have been disposed on that ground alone. However, the High Court unnecessarily made observations which are likely to adversely affect the appellant.

In view of the above, the observations made and the directions contained in the penultimate paragraphs of the impugned judgment and order against the appellant are set aside.

...2/-

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With these observations, the appeal is allowed to the aforesaid extent.

.....,J.
(SURINDER SINGH NIJJAR)

.....,J.
(A.K. SIKRI)

NEW DELHI
MARCH 26, 2014