

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 (Crl) No(s).3223/2012

(From the judgement and order dated 22/02/2012 in CRMWP No.2015/2012, of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

BRIJ PAL SINGH

Petitioner(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

(With appln(s) for stay,exemption from filing O.T.,permission to file additional documents and office report)

Date: 11/02/2014 This Petition was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Parthiv K. Goswami, Adv.
Mr. Yashvardhan Singh, Adv.
Mr. Vikash Singh, Adv.

For Respondent(s) Mr. Rohit Singh, Adv.
Mr. Neeraj Kumar Srivastava, Adv.
Ms. Hema Srivastava, Adv.

Mr. Ratinder Dash, Sr. Adv.
Mr. Gaurav, Adv.
Mr. Abhishth Kumar, Adv

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

One Nathu Singh was murdered only 22.8.2009. The case of the complainant, who is son of the deceased, is that Nathu was gunned down by four miscreants one of whom is Respondent No.4 Radhey Kishan. It appears that the complaint was registered at PS Muradnagar. Thereafter the investigation was transferred to Crime Branch, CID. Crime Branch conducted investigation and submitted a closure report. A protest petition was filed by the complainant which was accepted by the Court and further investigation was ordered. After further investigation, the Crime Branch has

Contd...2/-

submitted a closure report. The complainant has again filed a protest petition. According to the petitioner, the protest petition is rejected but according to learned counsel for the State as well as learned counsel for respondent no.4, the protest petition has been treated as a complaint. Statement of the complainant under Section 200 of the Code of Criminal Procedure has been recorded and inquiry under Section 202 of the Code of Criminal Procedure is being conducted and the learned Magistrate has posted the matter for summoning the accused on 18.2.2014.

In the circumstances, we direct learned Magistrate to pass appropriate orders independently and in accordance with law on the 18th February, 2014 when the matter is posted for hearing.

List the matter for further appropriate orders on 21st February, 2014.

[Gulshan Kumar Arora]
Court Master

[Suresh Verma]
Court Master