

ITEM NO.5

COURT NO.11

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)... 2010
CRLMP.NO(s). 11895

(From the judgement and order dated 30/11/2009 in
3164/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

CRLMA No.

ARADHANA SINGH

Petitioner(s)

VERSUS

STATE OF U.P.& ANR.

Respondent(s)

CRLMP.NO(s).11895/2010 (C/delay in WITH	filing SLP and office report)
SLP(R)...CRLMP NO. 12009 of 2010	
CRLMP.NO(s).12009/2010 (C/delay in SLP(R)...CRLMP NO. 12011 of 2010	filing SLP and office report)
CRLMP.NO(s).12011/2010 (C/delay in SLP(R)...CRLMP NO. 12263 of 2010	filing SLP and office report)
CRLMP.NO(s).12263/2010 (C/delay in SLP(R)...CRLMP NO. 12341 of 2010	filing SLP and office report)
CRLMP.NO(s).12341/2010 (C/delay in	filing SLP and office report)

Date: 26/08/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. N. Ganpathy,A.O.R.(NOT PRESENT)

For Respondent(s)

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

Delay condoned.

These petitions are directed against order dated
30.11.2009 passed by the learned Single Judge of the

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Allahabad High Court whereby he refused to interfere
with order dated 22.1.2008 passed by Additional Chief
Judicial Magistrate, Chandausi, the operative portion
of which reads as under:

"The Final Reports bearing No.124/2007
submitted/filed by the I.O. in Case Crime
No.770/2007 registered under Sections 323, 324,
325, 498-A and Sections 3/4 of the Dowry
Prohibition Act 1961, at the Police Station
Chandausi, District Moradabad is hereby, rejected,
and the accused persons Abhijeet Singh, Abhimanu
Singh, Smt. Veena Singh, Aradhana Singh, Dilip
Singh and Mandakini Singh are hereby summoned in
Case-Crime No.770/2007 under the aforesaid
Sections. The file be put up on 26.02.2008 for
appearance."

When the case was taken up for hearing in the pre-lunch session, some counsel had appeared and sought pass over because we had indicated to him that it will not be possible for the Court to entertain the request circulated by the Advocate on record for the petitioners for adjournment of the case. In the second round, no one has appeared on behalf of the petitioners.

We have gone through order dated 22.1.2008 passed by Additional Chief Judicial Magistrate, Chandausi and are convinced that the High Court did not commit any error by refusing to exercise power under Section 482 of the Code of Criminal Procedure for quashing that order. The reasons assigned by the learned Additional Chief Judicial Magistrate for refusing to accept the final report submitted by the police for closure of the case registered against the petitioners were quite logical and the learned Single Judge of the High Court rightly declined the petitioners' prayer for quashing

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order dated 22.1.2008.

With the above observations, the special leave petitions are dismissed.

A copy of this order is sent to Additional Chief Judicial Magistrate, Chandausi (Uttar Pradesh) who is expected to proceed with the case and decide the same in accordance with law.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master