

ITEM NO.31

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 (Crl)... 2010
CRLMP.NO(s). 13711

(From the judgement and order dated 04/11/2009 in
150/2006 of The HIGH COURT OF JHARKHAND AT RANCHI)

WPCRL No.

STATE OF JHARKHAND & ORS.

Petitioner(s)

VERSUS

BISHNU CHANDRA CHOUDHARY & ANR

Respondent(s)

With CRLMP No. 13711 (C/delay in filing SLP)

Date: 12/07/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s)

Mr. Anil K. Jha, Adv.

Mr. Rajesh Kumar Singh, Adv.

For Respondent(s)

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

Delay condoned.

Learned counsel for the petitioner has pointed out that the question as to whether proceedings under Section 22 of the Mines and Mineral (Development and Regulation) Act could be initiated only on a complaint or the general provisions of the Code of Criminal Procedure can also be applied has been referred to a larger

Bench of this Court for resolution. We, however, find that this matter need not detain us for the simple reason that it has been found that one of the samples taken from the respondent was merely waste and the

second pertained to a substance found in the
mine belonging to the respondent. In this
view of the facts, we are not inclined to
interfere in this matter on facts.

The Special Leave Petition is dismissed.

(KALYANI GUPTA)
SR. P.A.

(VINOD KULVI)
COURT MASTER