[2]ITEM No.9 Court No. 5 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.) No. 3931/2000

(From the judgement and order dated 17/07/2000 in CRLM 27837/99
of The HIGH COURT OF PATNA)

VIDYA BHUSHAN SINGH Petitioner (s)

VERSUS

STATE OF BIHAR & ANR. Respondent (s)

(With Appln(s). for exemption from filing O.T.&ex-Parte stay)

Date : 20/11/2000 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Dr. J.N.Dubey,adv.
Mr. S.M.Singh,adv.
Mr. S.R. Setia,Adv.

For Respondent (s)

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

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It is open to the petitioner to raise his contention before the trial court at the stage envisaged in Sec. 245 of the Code of Criminal Procedure. Learned counsel expressed apprehension that the observation made by the High Court in the impugned order may stand in the way of trial court considering his plea. We make it clear that the said observation is made when petitioner moved for quashing the charge under Sec.482 of the Code. Hence the said observation would not in any way be considered by the trial court while dealing with the case under Sec.245 of the Code of Criminal Procedure. The SLP is disposed of with the said observations.

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(Suman Wadhwa) (H.K. Bhatia) @@
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P.A. to Addl. Registrar Court Master@@
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