

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.19 OF 2010

NARENDRA KUMAR MATHUR & ORS.

Appellant(s)

VERSUS

STATE OF U.P. & ANR.

Respondent(s)

O R D E R

Heard learned counsel for the appellants as well as for the private respondent.

It is represented on behalf of the private respondent, at whose instance the present Complaint Case No.5556/2008 was laid before the Trial Court for offences under Sections 323, 504 and 506 IPC, that she is stated to be dead. That apart, the first two accused i.e. Appellant Nos.1 and 2 are also stated to be no more. Therefore, as on date except Accused Nos. 3 and 4, neither the complainant nor the main accused, as against whom specific overt act has been alleged in the offence, is alive.

Therefore, nothing survives in the complaint and consequently, we do not find any scope to retain the complaint any more. The complaint, therefore, stands quashed. Consequently, the impugned order is set aside and the appeal stands allowed.

.....J.
[FAKKIR MOHAMED IBRAHIM KALIFULLA]

.....J.
[ABHAY MANOHAR SAPRE]

NEW DELHI;
FEBRUARY 12, 2015.

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

Criminal Appeal No(s). 19/2010

NARENDRA KUMAR MATHUR & ORS.

Appellant(s)

VERSUS

STATE OF U.P. & ANR.

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(with office report)

Date : 12/02/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPREFor Appellant(s) Mr. Vishnu Mehra,Adv.
Ms. Sakshi Mittal,Adv.
Mr. B. K. Satija,Adv.For Respondent(s) Mr. Abhindra Maheshwari,Adv.
Mr. Vishwajit Singh,Adv.UPON hearing the counsel the Court made the following
O R D E R

The appeal is allowed in terms of the signed order.

(NARENDRA PRASAD)
COURT MASTER(SHARDA KAPOOR)
COURT MASTER

(Signed order is placed on the file)