

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).3561/2007

(From the judgement and order dated 01/06/2007 in CRLMW No. 6879/2007 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

BHANU PRATAP SINGH DHAKRAY

Petitioner(s)

VERSUS

KAMLA PANDEY & ORS.

Respondent(s)

(With appln(s) for stay and permission to place addl. documents on record and
permission to file additional documents and office report)

Date: 10/09/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv.
Mr. P.H. Parekh, Adv.
Mrs. Deeksha Rai, Adv.
Mr. K. Chaturvedi, Adv.
Mr. Shakti Singh Dhakray, Adv.
Mr. Jasvir Malik, Adv.
Mr. Balraj Malik, Adv.
Mr. D.K. Sharma, Adv. for
M/S P.H. Parekh & Co., Adv.

For Respondent(s) Mr. P.P. Malhotra, ASG
Mr. A. Mariaputtam, Adv.
Mr. Tufail A. Khan, Adv.
Mr. P. Paremesharan, Adv.

Ms. Pinky Anand, Adv.
Mr. D.N. Goburdhun, Adv.
Ms. Geeta Luthra, Adv.

Ms. Sushma Suri, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned senior counsel for the petitioner and learned

ASG for the Central Bureau of Investigation.

:2:

Learned ASG appearing for the CBI has submitted that the
investigation of the case in which the petitioner is allegedly
involved is already at the advance stage and the statements of 47
witnesses have already been recorded by the CBI and further
investigation is in progress. As soon as the investigation is

complete, the CBI may file the final report before the appropriate court.

Learned senior counsel for the petitioner submits that earlier the investigation of the present case was carried out by C.B.C.I.D. which after investigation prepared a final report and the present investigation has been initiated at the instance of State Human Rights Commission and the petitioner is seriously prejudiced. It is contended that if the earlier final report is accepted by the court, the further investigation conducted by CBI was unnecessary and illegal as it was done without seeing permission of Court under Section 173(8) of Cr.P.C.

The present petition is disposed of with liberty to the petitioner to raise all such objections when the final report is submitted by the investigation agency before the appropriate Court.

(PARDEEP KUMAR)
COURT MASTER

(VEERA VERMA)
COURT MASTER