

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1) No(s).3562/2007

(From the judgement and order dated 19/06/2007 in CRLMA No. 2265/2007 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

ARVIND PANDALAI Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS. Respondent(s)

(With appln(s) for directions,permission to file additional documents and office report)
(for final disposal)

WITH SLP(Cr1) NO. 3563 of 2007
(With office report)
(for final disposal)

Date: 20/01/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s)
Mr. Dharmendra Kumar Sinha,Adv.

For Respondent(s)
Ms. Hemantika Wahi,Adv.
Ms. Pratibha Jain ,Adv
Mr. S.C. Patel ,Adv

UPON hearing counsel the Court made the following
ORDER

Leave granted.
Heard learned counsel for the petitioner.
The appeals are dismissed in terms of the singed order.

(Asha Kukrety) (Indu Satija)
Sr. P.A. Court Master
(The signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APEAL NO. 111-112 OF 2009
(Arising out of S.L.P. (CRL) No.3562/2007)

ARVIND PANDALAI ...Appellant (s)
VERSUS
STATE OF GUJARAT & ORS. ...Respondent (s)

WITH SLP(Cr1) NO. 3563 of 2007

O R D E R

Leave granted.

Heard learned counsel for the appellants.

It appears that an FIR was filed against the appellants under Section 482 of the Criminal Procedure Code. The High Court by its order dismissed the petition filed by the appellants here. Against the High Court's order, these appeals have been filed.

We have carefully perused the impugned FIR and it cannot be said that treating all the allegations to be correct, no offence is made out in the FIR. Hence, we cannot interfere with the FIR.

However, the appellants can take all the pleas, which they have taken here, in the hearing of the trial.

The appeals are dismissed with these observations.

.....J.
[MARKANDEY KATJU]

[R.M. LODHA]

.....J

New Delhi,
January 20, 2009.