

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.682 OF 2018  
(@ SPECIAL LEAVE PETITION (CRL.) NO. 6493 OF 2013)

THE STATE OF MADHYA PRADESH

...APPELLANT(S)

VERSUS

PANCHAM SINGH & ANR.

...RESPONDENT(S)

O R D E R

Leave granted.

Heard learned counsel for the parties and perused the record.

The High Court has quashed the charge under Section 304B IPC vide impugned order dated 18.12.2012. Learned counsel for the respondents has pointed out that the trial Court vide order dated 08.04.2013 charged the respondents under Section 302 as alternative to Section 304-B IPC apart from other charges. Thereafter, the High Court vide order dated 20.02.2018 relying upon the impugned order dropped charge under Section 304B.

We are of the view that the High court was not, in the facts and circumstances of the present case, justified in interfering with the charge at this stage when the trial is pending before the Trial Court and allegations give rise to the charge.

Accordingly, the impugned order of the High Court and the order dated 20.02.2018 passed in MCRC-3271-2013 will stand set aside.

The trial Court may proceed in accordance with law.

It will be open to the parties to argue on the issue of charge, if necessary, before the trial Court afresh in accordance with law at appropriate stage.

The appeal is, accordingly, allowed.

.....J.  
[ADARSH KUMAR GOEL]

NEW DELHI  
4<sup>th</sup> May, 2018

.....J.  
[INDU MALHOTRA]

ITEM NO.43

COURT NO.10

SECTION II-A

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6493/2013

(Arising out of impugned final judgment and order dated 18-12-2012 in MCRLC No. 9540/2012 passed by the High Court Of M.p At Gwalior)

THE STATE OF MADHYA PRADESH

Petitioner(s)

VERSUS

PANCHAM SINGH &amp; ANR.

Respondent(s)

Date : 04-05-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Ms. Swarupama Chaturvedi, Adv.  
Mr. B.N.Dubey, Adv.  
Ms. Devika Gulati, Adv.  
Mr. Arjun Garg, AOR

For Respondent(s) Mr. Amarjit Singh Bedi, AOR  
Mr. Varun Chandiok, Adv.  
MR. Dinesh Kumar, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(MADHU BALA)  
COURT MASTER (SH)  
(Signed order is placed on the file)

(SUMAN JAIN)  
BRANCH OFFICER