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IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 725 OF 2015
(@ SPECIAL LEAVE PETITION (CRL.) NO. 6394 OF 2013)

ROOP NARAIN SAH & ANR.
T(S)

...APPELLAN

VERSUS

SMITA SAH & ORS.
(S)

...RESPONDENT

O R D E R

Heard learned counsels for the parties and
perused the relevant material.

Leave granted.

The proceeding before the High Court at the
instance of the first respondent under Section
482 of the Cr.P..C. was clearly not maintainable
in view of the fact that the respondent ha

already availed the remedy of revision and had
instituted a revision proceeding before th

Learned Sessions Court. Against the order of the
learned Single Judge, the respondent could not
have availed of the remedy of a second revision
in the guise of invoking the High Court's
jurisdiction under Section 482 Cr.P.C. Th

Signature Not Verified

Digitally signed by
Madhu Bala

Date: 2015.04.27
16:54:41 IST
Reason:

proceeding before the High Court was therefore

clearly not maintainable in law. Consequently,

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...2/-

the order of the High Court is set aside and the
appeal is allowed.

.....J.
[RANJAN GOGOI]

NEW DELHI
24TH APRIL, 2015
ITEM NO.39

.....J.
[N.V. RAMANA]
COURT NO.8 SECTION II

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). 6394/2013
(Arising out of impugned final judgment and order dated 16/05/2013
in SBCRM No. 4141/2011 passed by the High Court Of Rajasthan At
Jaipur)

ROOP NARAIN SAH & ANR. Petitioner(s)

VERSUS

SMITA SAH & ORS. Respondent(s)
(With appln. (s) for ad-interim ex-parte stay and office report)

Date : 24/04/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s) Mr. Aruneshwar Gupta,Adv.
Mr. Manish Raghav,Adv.
Mr. Nikhil Singh,Adv.

For Respondent(s) Mr. Ajay Thakur,Adv.
Mr. Shekhar Kumar,Adv.
Mr. Janme Jay,Adv.
Mr. Ashok Mathur,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.

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

(ASHA SONI)
COURT MASTER