

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.2424-2427 OF 2014
(Arising out of SLP(Crl)No.5202-5205/2014)

SARIKA SHARMA @ POOJA & ANR.

...APPELLANT

VERSUS

GOVT. OF NCT OF DELHI & ANR.

...RESPONDENT

O R D E R

Leave granted. Heard learned counsel for the parties.

Aggrieved by an order dated 29.05.2013 passed by the High Court of Delhi in Criminal Misc.Case Nos.481,521,608 & 628 of 2013, the respondent No.2 and 3 therein preferred these appeals. The impugned order is a common order in 4 criminal miscellaneous cases challenging the order dated 4.2.2013 passed by the Additional Sessions Judge by which the appellants were summoned for the offences punishable under Sections 363/366/368/376 read with Section 34 of the Indian Penal Code (for short "IPC").

The High Court set aside the order dated 4.2.2013 of the learned Additional Sessions Judge and directed the trial court to proceed with the criminal cases in accordance with the law laid down by this Court in Ranjit Singh v. State of Punjab reported in 1998 (7) SCC 149. Aggrieved by the same, the instant appeals by way of special leave filed. During the pendency of the instant appeals, a Constitution Bench of this Court by its judgment in

Dharam Pal and Others vs. State of Haryana and Another reported in 2014 (3) SCC 306 overruled Ranjit Singh case (supra).

In the circumstances, the impugned order is required to be set aside in the light of the law laid down by this Court in Dharam Pal and Others vs. State of Haryana and Another (2014) 3 SCC 306.

Accordingly, the order impugned is set aside and the matter is remitted to the High Court for disposal of the above mentioned criminal miscellaneous cases in accordance with law. The appeals are allowed accordingly.

.....J.
[J. CHELAMESWAR]

NEW DELHI
NOVEMBER 17, 2014

.....J.
[S.A. BOBDE]

ITEM NO.34

COURT NO.7

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).5202-5205/2013

(Arising out of impugned final judgment and order dated 29/05/2013 in CRLMC No. 481/2013,29/05/2013 in CRLMC No. 521/2013,29/05/2013 in CRLMC No. 608/2013,29/05/2013 in CRLMC No. 628/2013 passed by the High Court Of Delhi At N. Delhi)

SARIKA SHARMA @ POOJA & ANR.

Petitioner(s)

VERSUS

GOVT. OF NCT OF DELHI & ANR.

Respondent(s)

(with appln. (s) for stay and office report)

Date : 17/11/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. T. Mahipal,Adv.

For Respondent(s) Mr. Asit Tiwari,Adv.
Mr. Atul Chitlay,Adv.
Mr. P.K. Dey,Adv.
Mr. D. S. Mahra,Adv.

Mr. Jayant Bhushan,Sr.Adv.
Mr. Rajesh Srivastava,Adv.
Mr. Shyam Sharma,Adv.
Mr. Sanjiv Bahiya,Adv.

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

Leave granted.

The appeals are allowed, in terms of the signed order.

[O.P. SHARMA]
COURT MASTER

[INDU BALA KAPUR]
COURT MASTER

(Signed order is placed on the file)