

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).4889/2005

(From the judgement and order dated 18/08/2005 in Crl.Misc.Appln. No.
299/2005 of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

MITHLESH GANDHI & ANR.

Petitioner(s)

VERSUS

STATE OF UTTARANCHAL & ANR.

Respondent(s)

(With appln(s) for ex-parte stay and exemption from filing O.T.)

Date: 18/10/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. Chandra Prakash Pandey,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The prosecution is for offences under Section 379, 411, I.P.C. According to the learned counsel for the petitioners, the trial court has not yet framed charges. It is open for the petitioners to argue before the trial court if no case is made out for framing the charges. We make it clear that the trial court shall hear the arguments uninfluenced by any observations made by the High Court. That remedy being available to the petitioners, the present special leave petition is dismissed as not admitted.

(D.P. WALIA)

COURT MASTER

(RADHA R. BHATIA)

COURT MASTER