

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.).../2003
(From the judgement and order dated 19/05/2003 in CRLR 462/02
of The HIGH COURT OF DELHI AT N. DELHI)

SAVITRI DEVI

Petitioner (s)

VERSUS

RAMESH CHAND & ORS.

Respondent (s)

(With Crl.M.P. No 10226/2003 for c/delay in filing SLP)

Date : 28/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)Mr. H.C. Mittal,Adv.
Mr. Manoj Mittal,Adv.
Mr. N.S. Bisht,Adv.

For Respondent (s)

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

Heard learned counsel for the petitioner.
Delay condoned.

We do not see any merit in the challenge made to the order of the High Court in Criminal Revision No.462 of 2002, on the facts of the case. The special leave petition is, therefore, dismissed.

At the same time, we express our disapproval of some of the generalized views expressed in paragraphs 23 to 32 of the judgment of the High Court by the learned Single Judge. The learned Judge ought to have seen that such observations,

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though may be appropriate for seminars or workshops, should have been avoided being incorporated as part of a court judgment. Some of the views also touch upon Legislative measures and wisdom of legislative policy in substance, which according to the learned Judge need to be taken into account. There was no scope for considering all such matters in the case which was before the learned Judge. It is, therefore, appropriate that such generalized observations or views should meticulously avoided by Courts in the judgments.

(Neena Verma) (Vijay Aggarwal)
Court Master Court Master