

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).5581/2008

(From the judgement and order dated 30/04/2008 in CRLA No. 287/2008 of The HIGH COURT OF BOMBAY)

RAJINDER U MIGLANI Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR. Respondent(s)

(With appln(s) for stay and office report)
(for final disposal)

WITH SLP(Crl) NO. 6185 of 2008
(With appln(s) for stay and office report)
(for final disposal)

SLP(Crl) NO. 6206 of 2008
(With appln(s) for stay and office report)
(for final disposal)

SLP(Crl) NO. 6218 of 2008
(With appln(s) for stay and office report)
(for final disposal)

SLP(Crl) NO. 6220 of 2008
(With appln(s) for stay and office report)
(for final disposal)

SLP(Crl) NO. 6221 of 2008
(With appln(s) for stay and office report)
(for final disposal)

SLP(Crl) NO. 6222 of 2008
(With office report)

SLP(Crl) NO. 6224 of 2008
(With office report)

Date: 10/07/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

For Petitioner(s)

Mr. B.A. Desai, Sr.Adv.
Mr. Dattatray Vyas, Adv.
Ms. Mahima C. Shroff, Adv.

Mr.Chirag M.Shroff,Adv.

For Respondent(s)

Ms. Indra Jaisingh, ASG
Mr. Ashok K. Srivastava, Adv.
Mr. B.B. Singh, Adv.
Ms. Sushma Suri,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted in all the matters.
The appeals are disposed of in terms of the signed order.

(Sukhbir Paul Kaur)
Court Master

(Neeru Bala Vij)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1193 OF 2009
(Arising out of SLP(Crl.)No.5581 Of 2008)

RAJINDER U MIGLANI

APPELLANT(S)

Versus

STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

WITH

CRIMINAL APPEAL NO.1194/2009 @ SLP(Crl.)No.6218/2008
CRIMINAL APPEAL NO.1195/2009 @ SLP(Crl.)No.6220/2008
CRIMINAL APPEAL NO.1196/2009 @ SLP(Crl.)No.6221/2008

WITH

CRIMINAL APPEAL NO.1197/2009 @ SLP(Crl.)No.6185/2008
CRIMINAL APPEAL NO.1198/2009 @ SLP(Crl.)No.6222/2008
CRIMINAL APPEAL NO.1199/2009 @ SLP(Crl.)No.6224/2008
CRIMINAL APPEAL NO.1200/2009 @ SLP(Crl.)No.6206/2008

ORDER

Leave granted in all the matters.

These appeals are directed against the judgment dated 30.4.2008 passed by the High Court of Judicature at Bombay in Criminal application No.287 of 2008.

We have heard learned counsel for the parties at length.

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We are of the considered view that the application filed by the appellant under Section 482 of the Code of Criminal Procedure ought to have been decided by the High Court.

In the facts and circumstances of this case, we direct the learned Single Judge of the High Court to decide the appellant's application filed under Section 482 Cr.P.C. expeditiously. Consequently, we set aside the impugned

judgment of the High Court.

The parties are directed to appear before the learned
Single Judge on 17th August, 2009. The learned Single Judge
may either decide the matter on the same day or fix any other
subsequent date(s) convenient to the Court.

Meanwhile, the interim order passed by this Court on
6.2.2009 shall continue till the disposal of the petition under
Section 482 of the Code of Criminal Procedure.

The appeals are accordingly, disposed of.

.....J.
(DALVEER BHANDARI)

.....J.
(DR. MUKUNDAKAM SHARMA)

New Delhi,
July 10, 2009