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ITEM NO.3

COURT NO.11

SECTION IIA

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 (Cr1) No(s).6151/2012

(From the judgement and order dated 12/03/2012 in CRLMP No.327/2010 of the
HIGH COURT OF JHARKHAND AT RANCHI)

BUDDHADEO GIRI

Petitioner(s)

VERSUS

S.DIWAKAR & ANR.

Respondent(s)

(With appln(s) for stay, exemption from filing c/c of the impugned order
and office report)

Date: 01/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Rajiv Shankar Dvivedi,Adv.

For Respondent(s) Mr. Krishnanand Pandeya,Adv.
Mr. Jayesh Gaurav,Adv.

Mr. Dharmendra Kumar Sinha,Adv.

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

Leave granted.

Heard the learned counsel for the parties. The appeal is
allowed and the order passed by the High Court is set aside in terms
of the signed order.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1913 OF 2013
(Arising out of SLP(Cr1.) No.6151/2012)

BUDDHADEO GIRI

Appellant(s)

:VERSUS:

S. DIWAKAR & ANR.

Respondent(s)

O R D E R

Leave granted.

Heard the learned counsel for the appellant as well as learned counsel for the respondents.

The High Court has quashed the complaint filed by the appellant under Section 420 of the Indian Penal Code. We have perused the complaint. In our view, the matter requires consideration by the Trial Court and the High Court was in error in quashing the complaint. The appeal is allowed and the order passed by the High Court is set aside. The Trial Court will decide the matter on its own merits.

(H.L. GOKHALE)

.....J

.....J
(J. CHELAMESWAR)

New Delhi;
November 1, 2013.