

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).6950/2008

(From the judgement and order dated 13/05/2008 in CRLM
No.51878/2007 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

NIRMAL SINGH & ANR. Petitioner(s)

VERSUS

STATE OF PUNJAB & ANR. Respondent(s)

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

Date: 29/08/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Mr. S.C. Singhal, Adv.
Ms. Megha Gaur, Adv.
Mr. Parmanand Gaur,Adv.

For Respondent(s) Mr. Maninder Singh, Adv.
Mr. Viresh B. Saharya,Adv.

Mr. Jayant K. Sud, AAG Punjab
Nr. Harendra Singh, Adv.
Mr. Kuldip Singh ,Adv

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

Leave granted.

The appeal is disposed of.

[Usha Bhardwaj]
Court Master

[Savita Sainani]
Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1674 OF 2011
(Arising out of SLP (Criminal) No.6950 of 2008)

Nirmal Singh & Anr. ...Appellant(s)

Versus

State of Punjab & Anr. ...Respondent(s)

O R D E R

Leave granted.

Heard both parties.

It is not in dispute that the appellants have approached the High Court under Section 482 of the Code of Criminal Procedure for quashing the F.I.R. No. 63 of 23rd April, 2007 under Sections 406 and 498A of I.P.C. registered at Police Station City Mansa as well as Report under Section 173 Criminal Procedure Code dated 13th June, 2007 pending in the Court of learned Chief Judicial Magistrate, Mansa.

The perusal of the order of the High Court shows that though it had dealt with the case relating to appellants 3 to 7 therein, the grievance of the appellants who are father-in-law and mother-in-law of respondent No.2 were not at all discussed and considered by the High Court.

...2/-

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We have perused the entire order of the High Court. Except mentioning that the petition relating to petitioners Nos.1 and 2 therein is to be dismissed, the High Court has not adverted to their claim. In these circumstances, we have no other option except to set aside the order with regard to the appellants herein (petitioner Nos.1 and 2 therein) and remit the matter to the High Court with a request to pass fresh orders on merits after affording opportunity to all the parties concerned.

The appeal is disposed of accordingly.

.....J.
(P. SATHASIVAM)

.....J.
(Dr.B.S. CHAUHAN)

New Delhi,
August 29, 2011.