

àITEM NO.7  
(part-heard)

COURT NO.2

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 (Crl) No(s).7792/2007

(From the judgement and order dated 26/04/2007 in  
of The HIGH COURT OF M.P AT INDORE)

CRLR No.180/2007

STATE OF M.P.

Petitioner(s)

VERSUS

MADANLAL

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 18/11/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. S.A. Saud, Adv.  
For Mr. C.D. Singh,Adv.

For Respondent(s) Dr. Sushil Balwada, Adv.  
For Mr. B.K.Satiya,Adv.

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

Having heard learned counsel for the  
respective parties and in particular Mr. Saud,  
appearing for the State of M.P., we are not  
inclined to entertain the Special Leave Petition,  
despite the fact that in respect of three of the  
co-accused in earlier proceedings, being

Crl.A.Nos.647 and 648 of 2009, we had directed the  
trial to proceed against the said co-accused.

We are of the view that the respondent, Madan Lal  
in this case stands on a different footing and he  
at best can be said to have committed an act of  
ommission or commission or negligence in regard to  
his duties as a bank employee.

We, therefore, while dismissing the

Special Leave Petition, keep the question open as to whether he is a public servant or not. We also make it clear that this order will not prevent the bank from taking any other action against the respondent, as he may be entitled to in law.

(Sheetal Dhingra)  
Court Master

(Juginder Kaur)  
Court Master