

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL Nos.130-135 OF 2011

UNION OF INDIA . . . APPELLANT (s)

VERSUS

M/S SOUNDCRAFT IND.LTD.& ORS. . . RESPONDENT (s)

O R D E R

These appeals have been preferred against an order declining to interfere with a direction of the Magistrate under Section 156(3) of the Code of Criminal Procedure.

The grievance of the appellant is that instead of such direction, the Magistrate itself should have taken cognizance of the offence which has been duly investigated by the Serious Fraud Investigation Office, Ministry of Corporate Affairs, Government of India.

It is pointed out by learned counsel for the appellant that on the same issue, after the impugned judgment was passed, the High Court has referred the matter to a larger Bench in Criminal Revision Application No.563 of 2007 [Union of India Vs. M/s. Kolar Biotech Ltd. and Ors.] and the said matter is still pending.

In view of the above, we set aside the impugned order and restore the Criminal Revision Application Nos.612-617 of 2007, from which these appeals have arisen, to its

original file and direct that the same be heard along with the matter mentioned above.

The appeals are allowed in above terms.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(L. NAGESWARA RAO)

NEW DELHI
JUNE 16, 2016

ITEM NO.102

COURT NO.3

SECTION IIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s).130-135/2011

UNION OF INDIA

Appellant(s)

VERSUS

M/S SOUNDCRAFT IND.LTD.& ORS.

Respondent(s)

Date : 16/06/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE L. NAGESWARA RAO
[VACATION BENCH]

For Appellant(s) Mr. S.N. Terdal, Adv.
Mr. Shanker Divate, Adv.
Mr. M.K. Moraria, Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s)

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

The appeals are allowed in terms of the signed order.

(SANJAY KUMAR-I)
AR-CUM-PS

(MADHU NARULA)
COURT MASTER

(Signed order is placed on the file)