

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1198 OF 2011

ASHAWINI KUMAR

.....Appellant(s)

Vs.

THE STATE OF BIHAR & ORS.

.....Respondent(s)

O R D E R

Having heard learned counsel for the appellant and having perused the material placed on record, we are not persuaded to consider interference in the impugned order dated 07.07.2010, whereby the High Court declined to interfere with the order dated 11.03.2008 passed by the Trial Court, declining the prayer of the appellant-complainant to prosecute the respondent-accused for the offence punishable under Section 307 IPC, apart from the offences punishable under Sections 341, 323, 504/34 IPC, for which they were already being prosecuted.

The matter being pending in trial, we do not wish to make any comment as regards the evidence, either produced and proposed to be produced. However, so far the present appeal is concerned, we find no reason to interfere.

The appeal stands dismissed.

The interim order stands vacated.

The Trial Court, obviously, would be expected to assign reasonable priority to this matter and to proceed expeditiously. All contentions of the parties are otherwise left open.

All pending applications also stand disposed of.

.....J.
(DINESH MAHESHWARI)

.....J.
(M.M. SUNDRESH)

New Delhi;
April 05, 2022.

ITEM NO.104

COURT NO.14

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 1198/2011

ASHAWINI KUMAR

Appellant(s)

VERSUS

THE STATE OF BIHAR & ORS.

Respondent(s)

(For Final disposal)

Date : 05-04-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Smarhar Singh, AOR
Ms. Shweta Kumari, Adv.
Mr. Rajesh, Adv.

For Respondent(s) Mr. Abhinav Mukerji, AOR
Ms. Pratishtha Vij, Adv.
Ms. Bihu Sharma, Adv.
Mr. Akshay C. Shrivastava, Adv.

Mr. S.D. Mishra, Adv.
Mr. K.B. Upadhyay, Adv.
Mr. S. R. Setia, AOR

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

The appeal stands dismissed in terms of signed
order.

All pending applications also stand disposed of.

(NEETA SAPRA)
COURT MASTER (SH)

(RANJANA SHAILLEY)
COURT MASTER (NSH)

(Signed order is placed on the file)