

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. (S).2470 OF 2014
(Arising out of SLP(Crl.) No(s).2563 of 2012)

NARENDRA PRASAD PANDEY

Appellant(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

O R D E R

Leave granted.

This appeal arises out of an order dated 20th December, 2011 passed by the High Court of Judicature at Allahabad whereby Criminal Misc. Writ Petition No.24111 of 2011 filed by the appellant, for a writ of certiorari quashing FIR No.756 of 2011 registered against the appellant at Police Station Rampur Karkhana, District Deoria, Uttar Pradesh, for an offence punishable under Section 409 of the Indian Penal Code has been dismissed.

When this petition initially came up for preliminary hearing before this Court on 30th March, 2012, we had issued notice to the respondents limited to the question of grant of protection to the appellant against arrest as he was and continues to be a public servant. We had, pending further orders, protected the appellant against arrest in connection with the case aforementioned.

We are today informed by learned counsel for the parties that upon completion of an investigation in the case,

aforementioned, a proper charge-sheet has already been filed by the investigating officer before the court concerned. In that view, therefore, we see no reason to keep the present appeal pending before this Court. While affirming the order passed by the High Court declining to quash the FIR in-question, we direct that the appellant-Narendra Prasad Pandey shall be enlarged on bail, subject to his furnishing bail bonds in a sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties in the like amount to the satisfaction of the trial court concerned.

With the above direction, this appeal is disposed of in modification of the order passed by the High Court.

.....J
(T.S. THAKUR)

.....J
(ADARSH KUMAR GOEL)

NEW DELHI
DATED 24th NOVEMBER, 2014.

ITEM NO.29

COURT NO.2

SECTION II

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2563/2012

(From the Judgment and order dated 20/12/2011 in Crl.M.W.P. No.24111/2011 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

NARENDRA PRASAD PANDEY

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(with appln. (s) for c/delay in filing SLP and stay and office report)

Date : 24/11/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s) Mr. Manish Shanker Srivastava, Adv.
Ms. Minakshi Vij, Adv.

For Respondent(s) Mr. M. R. Shamshad, Adv.
Mr. Vivek Vishnoi, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned. Leave granted.

In terms of the signed order, the appeal is disposed of:

"...While affirming the order passed by the High Court declining to quash the FIR in-question, we direct that the appellant-Narendra Prasad Pandey shall be enlarged on bail, subject to his furnishing bail bonds in a sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties in the like amount to the satisfaction of the trial court concerned.

With the above direction, this appeal is disposed of in modification of the order passed by the High Court."

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)