

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.3887-3890 OF 2023

MADHUKAR G. ANGUR

APPELLANT(S)

VERSUS

ABHAY GOVIND CHEBBI & ORS.

RESPONDENT(S)

WITH

CRIMINAL APPEAL NOS.3891-3896/2023

CRIMINAL APPEAL NOS.3903-3908/2023

CRIMINAL APPEAL NOS.3909-3912/2023

CRIMINAL APPEAL NOS.3897-3902/2023

CRIMINAL APPEAL NO. _____ OF 2025
(@ SPECIAL LEAVE PETITION (CRL) NO. 7339/2024)

O R D E R

1. Leave granted in SLP(Crl.) No.7339/2024.

2. We have heard the learned senior counsel appearing for the parties at length.
3. We have also perused the impugned judgments.
4. Suffice it is to state that the impugned judgments have been passed without going into the merits of the case, but only premised upon two broad grounds. The High Court was pleased to hold that in view of the provisions contained in the Companies Act, 2013, more specifically under Chapter XIV of the Companies Act, 2013 as Section 213 of the Companies Act, 2013 provides for the proper recourse, and, therefore, the remedy for the appellants lies before the appropriate forum (i.e. the National Company Law Tribunal). Secondly, it was held that since the State Government is the appropriate authority, it is for the said authority to take action in the manner known to law, more specifically under Section 57 of the Alliance University Act, 2010 with respect to the issue of removal of the Chancellor from office. Both these grounds cannot be sustained in the eyes of law. What is expected of the High Court is to find out as to whether the materials available and presented before it, would constitute the offences alleged and nothing beyond. Unfortunately, instead of undertaking the said exercise, the High Court had gone into the issues which were not relevant for consideration.
5. In such view of the matter, the impugned orders stand

quashed and the matters stand remitted to the High Court.

6. Needless to state that the interim orders order which were available, pending the proceedings before the High Court shall stand restored.
7. Considering the facts and circumstances, we request the High Court to expedite the hearing and make an endeavour to conclude the matters which are being remitted within a period of three months from today.
8. The appeals are, accordingly, allowed.
9. Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[RAJESH BINDAL]

NEW DELHI
30th JANUARY, 2025

ITEM NO.116

COURT NO.9

SECTION II-C

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). 3887-3890/2023

MADHUKAR G. ANGUR

Appellant(s)

VERSUS

ABHAY GOVIND CHEBBI & ORS.

Respondent(s)

(IA No. 128692/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 10168/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 156124/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

Crl.A. No. 3891-3896/2023 (II-C)

Crl.A. No. 3903-3908/2023 (II-C)

Crl.A. No. 3909-3912/2023 (II-C)

(IA No. 156132/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Crl.A. No. 3897-3902/2023 (II-C)

SLP(Crl) No. 7339/2024 (II-C)

(IA No. 104368/2024 - EXEMPTION FROM FILING O.T.

IA No. 104370/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 104371/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

Date : 30-01-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE RAJESH BINDAL

For Appellant(s) Ms. Meenakshi Arora, Sr. Adv.
Ms. Liz Mathew, Sr. Adv.
Ms. Ashima Mandla, AOR
Ms. Mandakini Singh, Adv.
Mr. Vipul Pathak, Adv.

For Respondent(s) Mr. Sharan Thakur, Sr. A.A.G.
Ms. Ruchira Goel, AOR

Mr. Manoj Prasad, Sr. Adv.

Mr. Debal Banerji, Sr. Adv.
Mr. Nagamuthu, Sr. Adv.
Mr. Anand Sanjay M. Nuli, Sr. Adv.
Mr. Shyam Sundar, Sr. Adv.
Mr. Suraj Kasuhik, Adv.
For M/S. Nuli & Nuli, AOR

Mr. V. N. Raghupathy, AOR
Mr. Raghavendra M. Kulkarni, Adv.
Ms. Mythili S, Adv.
Mr. Venkata Raghu Mannepalli, Adv.
Mr. M. Bangaraswamy, Adv.
Mr. Prakash Jadhav, Adv.
Mr. Ravichandra Jadhav, Adv.

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

Leave granted in SLP(Crl.) No.7339/2024.

The appeals are allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SWETA BALODI)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(POONAM VAID)
ASSISTANT REGISTRAR