

ITEM NO.26

COURT NO.3

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2969/2022

(Arising out of impugned final judgment and order dated 27-07-2021 in WPCR No. 417/2021 passed by the High Court Of Chhatisgarh At Bilaspur)

ASHOK CHATURVEDI

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH & ORS.

Respondent(s)

(IA No.46439/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.48958/2022-EXEMPTION FROM FILING O.T. and IA No.46438/2022-EXEMPTION FROM FILING O.T. and IA No.46441/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.48957/2022-APPLICATION FOR PERMISSION)

Date : 11-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Siddharth Luthra, Sr. Adv.
 Mr. Abhinav Shrivastava, AOR
 Mr. Ashutosh Pandey, Adv.
 Mr. Himanshu Sinha, Adv.
 Mr. Anmol Kreta, Adv.
 Ms. Ritu Reniwal, Adv.
 Mr. A.V. Sridhar, Adv.
 Mr. Kumar Gourav, Adv.
 Mr. Lakshay Mehta, Adv.
 Mr. Karanvir Gogia, Adv.

For Respondent(s)

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

We decline to interfere with the conclusion reached by the High Court in W.P.(C) No. 417 of 2021. The reliefs claimed by the petitioner in the said writ petition are as under:

"A. That this Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction thereby directing the respondents to produce the entire records before the Hon'ble Court in respect of the consent order dated 23.06.2021.

B. That this Hon'ble Court may kindly be please to issue a writ in the nature of prohibition, directing the respondents to not proceed further in respect of impugned FIR bearing Crime No. 16/2020 u/s 13(1) (b) and 13(2) of P.C. Act, 1988 as amended in 2018 registered as Police Station EOW/ACB Raipur on dated 25.04.2020.

C. That this Hon'ble Court may kindly be pleased to set aside the order dated 23/06/2021, being violative of provisions of section 19 of the PC (Amendment) Act, 2018.

D. Any other relief which this Hon'ble Court deems fit and proper may be passed."

The petitioner now intends to challenge the subsequent communication-cum-sanction order dated 13.07.2021 issued after filing of the writ petition, under the signature of Additional Secretary (Annexure P-21 to this SLP). That was not the subject matter of challenge before the High Court.

If the petitioner is so advised, he is free to take recourse to appropriate remedy in respect of the said communication. That be decided in accordance with law. Accordingly, we do not wish to express any opinion in that regard.

The special leave petition is dismissed accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)