

ITEM NO.36

COURT NO.9

SECTION II-B

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 (CrI.) No(s). 3692/2017

(Arising out of impugned final judgment and order dated 27-03-2017 in CRMA(C-482) No. 437/2015 passed by the High Court Of Uttarakhand At Nainital)

VIVEK SWAROOP

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND, THROUGH SECRETARY,
DEPARTMENT OF HOME SECRETARIAT & ANR.

Respondent(s)

Date : 10-04-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Partha Sil, AOR
Mr. Tavish Bhushan Prasad, Adv.
Ms. Sayani Bhattacharya, Adv.
Mr. Ruchir Mishra, Adv.

For Respondent(s) Ms. Vanshaja Shukla, AOR
Mr. Vikas Negi, Adv.
Mr. Abhishek Chaterjee, Adv.

Mr. Prashant Bhushan, AOR
Ms. Ria Yadav, Adv.

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

Heard learned counsel for the petitioner, respondent no.2 - complainant.

Having heard learned counsel appearing for the parties, we find that the petitioner in substance is seeking quashment of a criminal proceeding in which charge-sheet has been submitted. Such plea was dismissed by the High Court. The questions raised by him

in support of his plea for quashment are on facts and calls for appreciation of evidence. We do not think this is a fit case for interference.

We, accordingly, dismiss the present petition. All the points raised in this petition, however, may be raised by the petitioner before the Trial Court.

The interim order already passed by this Court shall stand dissolved.

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

(NIRMALA NEGI)
COURT MASTER (SH)

(VIDYA NEGI)
ASSISTANT REGISTRAR