

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.679 /2021
(Arising out of SLP(Cr1.) No.5370/2021)
(@ SLP [CRL.] DIARY NO.13151/2021)

SANDESH P G & ORS.

Appellant(s)

VERSUS

KUMARI DEEPIKA & ORS.

Respondent(s)

O R D E R

Permission to file SLP is granted.

Leave granted.

The appellants are aggrieved by the impugned order to the extent that a direction has been passed in sub-para (v) of the impugned judgment to initiate action against the four of the present appellants for lapses on their part as observed in the Court's order and submit a report to the Court within three months. It is the say of learned counsel for the appellants that this direction was passed without impleading the said four persons as respondents before this Court or the High Court calling upon the appellants to explain their stand.

The respondent No.1/complainant is on caveat before this Court.

On hearing learned counsel for the appellants and respondent No.1 in person, we find direction (v) unsustainable for the reason that it was a direction that was issued without giving an

opportunity to the four persons to explain their stand before a direction was passed to initiate action against them. Direction (v) is thus, set aside but that does not imply that the concerned police authorities cannot look into the matter and if they find fault with certain police officers, to take departmental action of their own in accordance with law.

The appeal is allowed to the aforesaid extent leaving parties to bear their own costs.

.....J.
(SANJAY KISHAN KAUL)

.....J.
(HEMANT GUPTA)

NEW DELHI;
JULY 26, 2021.

ITEM NO.18 Court 7 (Video Conferencing)

SECTION IIC

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 13151/2021

(Arising out of impugned final judgment and order dated 24-05-2021 in WP No. 2910/2021 passed by the High Court Of Karnataka At Bengaluru)

SANDESH P G & ORS.

Petitioner(s)

VERSUS

KUMARI DEEPIKA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.66971/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.66972/2021-EXEMPTION FROM FILING O.T. and IA No.66970/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 26-07-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Shekhar G. Devasa, Adv.
Mr. Manish Tiwari, Advocate
Mr. Shashi Bhushan Nagar, Advocate
Ms. Sanhita Chauriha, Advocate
For M/s. Devasa & Co.

For Respondent(s) Ms. Kumari Deepika, Caveator-in-person

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

Permission to file SLP is granted.

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications stand disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)

[Signed order is placed on the file]