

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO.217 OF 2020

MAHABIR SINGH

PETITIONER(S)

VERSUS

STATE OF UTTAR PRADESH

RESPONDENT(S)

O R D E R

Perusal of the record makes out that on 17.01.2020, the learned Chief Judicial Magistrate, Kasganj, though recorded that the death report of complainant had been received and even ordered that complaint stood abated, yet, strangely, issued non-bailable warrants in relation to one of the accused, i.e., the present petitioner (Mahabir Singh).

2. Learned counsel for the petitioner has pointed out that the proceedings in the said complaint case were ultimately closed by the said Chief Judicial Magistrate in the order dated 21.10.2021, when it was found that nobody was present for the complainant nor anyone came forward to prosecute the matter after his demise. The copy of order dated 21.10.2021, placed before us by the learned counsel for the petitioner, is taken on record.

3. In our view, when the learned Chief Judicial Magistrate recorded in the order dated 17.01.2020 that the complaint had abated, there was not even a wee bit of justification in continuing the complaint case. In any case, now when the proceedings in the said complaint case have been closed, no further orders are required in this transfer petition and the same is disposed of accordingly.

4. However, a copy of this order be forwarded to the Registry of the High Court for taking note of the observations and comments herein.

5. Pending applications also stand disposed of.

....., J.
(DINESH MAHESHWARI)

....., J.
(B.V. NAGARATHNA)

NEW DELHI
DECEMBER 01, 2022

ITEM NO.1

COURT NO.6

SECTION XVI-A

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

Transfer Petition(s)(Criminal) No(s). 217/2020

MAHABIR SINGH

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 66212/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 66211/2020 - EXEMPTION FROM FILING O.T. AND IA No. 66209/2020 - STAY APPLICATION)

Date : 01-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. M. C. Dhingra, AOR
Mr. Sidharth Chaudary, Adv.
Mr. Gaurav Dhingra, Adv.
Ms. Madhvi Yadav, Adv.

For Respondent(s) Ms. Mayuri Raghuvanshi, Adv
Mr. Vyom, Raghuvanshi, Adv.
Mr. Shashank Shekhar Singh, AOR

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

Transfer petition is disposed of in terms of
the signed order.

Pending applications also stand disposed of.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
COURT MASTER

(Signed order is placed on the file.)