

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1026 OF 2017
(Arising out of S.L.P. (Cr1.) No.4079 of 2013)

Divya Sethi Appellant(s)
Versus
State of U.P. and Others Respondent(s)

WITH

CRIMINAL APPEAL NO.1027 OF 2017
(Arising out of S.L.P. (Cr1.) No.4645 of 2013)

Rani Sethi Appellant(s)
Versus
State of U.P. and Others Respondent(s)

CRIMINAL APPEAL NO.1028 OF 2017
(Arising out of S.L.P. (Cr1.) No.4655 of 2013)

Sumit Sethi and Another Appellant(s)
Versus
State of U.P. and Others Respondent(s)

O R D E R

Leave granted.

Though the appellants had approached the High Court of Allahabad in Criminal Misc. Writ Petition No.5334 and 5795 of 2013 for quashing of the criminal proceedings initiated against them under Sections 498-A, 504, 323, 506 and 406 IPC, the High Court had declined to quash the criminal proceedings, but passed an order for interim protection at the relevant time.

When the matter travelled to this Court, on 10th May, 2013, the following order was passed:-

"Exemption from filing O.T. is allowed.
Issue notice.

In the meantime, the petitioner shall not be arrested in connection with F.I.R. dated 25.03.2013 registered as Crime Case No.48 of 2013 at Police Station Mahila Thana, District Meerut.

However, the petitioner has to appear before the Investigation Officer as and when required for interrogation."

Having heard learned counsel for the parties, the said order is made absolute. Needless to say, this Court has not entertained the prayer for quashing of the criminal proceedings.

The appeals are, accordingly, disposed of.

Criminal Appeal No.1028 OF 2017 @ S.L.P.(Crl.) No.4655/2013

Leave granted.

The appellants herein have been booked as accused in respect of Crime No.48 of 2013 registered at Police Station Mahila Thana, District Meerut, for offences punishable under Sections 498-A, 323, 504, 506 and 406 I.P.C. and Section 3 and 4 of the Dowry Prohibition Act. This Court in similar matters has passed the interim orders on 10th May, 2013, and 17th May, 2017. Be it noted, the said orders have been made absolute today in Criminal Appeal Nos.1026 and 1027 of 2017.

In view of the aforesaid, it is directed that the the appellants shall not be arrested in connection with F.I.R. dated 25.03.2013 registered as Crime Case No.48 of 2013 at Police Station Mahila Thana, District Meerut. However, the appellants have to appear before the Investigation Officer as and when required for interrogation. Needless to say, this Court has not entertained the prayer for quashing of the criminal proceedings.

The appeal is, accordingly, disposed of.

.....J.
(Dipak Misra)

.....J.
[A.M. Khanwilkar]

New Delhi
July 05, 2017.

ITEM NO.2

COURT NO.2

SECTION II

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 (Cr1.) No.4079/2013

(Arising out of impugned final judgment and order dated 04-04-2013 in CMWP No. 5334/2013 passed by the High court of judicature at Allahabad)

DIVYA SETHI

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

WITH S.L.P.(Cr1) No.4645/2013 (II)

(With appln.(s) for exemption from filing O.T.)

S.L.P.(Cr1) No.4655/2013 (II)

Date : 05-07-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s)

Mr. Nar Hari Singh, AOR

For Respondent(s)

Mr. Himanshu Gupta, Adv.

Ms. Charu Ambwani, Adv.

Mr. Abhishth Kumar, AOR

Mr. Anil Kumar Tandale, AOR

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

Leave granted.

The appeals are disposed of in terms of the signed order.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)