

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 713 OF 2017  
(Arising out of SLP(CRL.) No.5913 of 2015)

STATE OF MADHYA PRADESH Appellant(s)

VERSUS

MAHENDRA JAIN Respondent(s)

WITH

CRIMINAL APPEAL NO. 714 OF 2017  
(Arising out of SLP(Crl) No.6112 of 2015)

STATE OF MADHYA PRADESH Appellant(s)

VERSUS

ACHAL CHAUDHARY Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

On the allegation of illegal/unauthorised construction and forging the approval of the Municipal Corporation by the Vice-Chairman/president of the Anand Nagar Grih Nirman Cooperative Society Society in conspiracy with accused Mahendra Jain and Achal Chaudhary an FIR was lodged against them. After investigation chargesheet (including supplementary chargesheet) was filed before the Special Judge, Prevention of Corruption Act, Indore.

On revision, the High Court has quashed the charges.

We do not see any justification for quashing the charges

as there were specific allegations, correctness whereof could not be determined before the trial.

Accordingly we allow these appeals and set aside the order dated 4<sup>th</sup> February, 2015 passed by the High Court in Criminal Revision No.264 of 2014 and Criminal Revision No.523 of 2014.

We make it clear that we have not expressed any opinion on the merits of the case.

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

The parties are directed to appear before the trial court for further proceedings on Monday, the 8<sup>th</sup> May, 2017.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
APRIL 11, 2017.

ITEM NO.12

COURT NO.13

SECTION IIA

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). 5913/2015

(Arising out of impugned final judgment and order dated 04/02/2015 in CRLR No. 264/2014 passed by the High Court Of Madhya Pradesh At Indore)

STATE OF M.P.

Petitioner(s)

VERSUS

MAHENDRA JAIN

Respondent(s)

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

WITH SLP(Crl) No. 6112/2015

(WITH APPLN. (S) FOR exemption from filing c/c of the impugned Judgment and exemption from filing O.T. and Office Report)

Date: 11/04/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Ms. Bansuri Swaraj, Adv.  
Ms. Urvashi Bandhu, Adv.  
Mr. C. D. Singh, Adv.

For Respondent(s) Mr. Ravindra Srivastava, Sr. Adv.  
(SLP 5913/15) Mr. Gaurav Bahl, Adv.  
Ms. Aakanksha Kaul, Adv.  
Mr. Sudhansu Palo, Adv.

(SLP 6112/15) Mr. Puneet Jain, Adv.  
Ms. Christi Jain, Adv.  
Ms. Chhaya Kirti, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Priyal Jain, Adv.  
Ms. Pratibha Jain, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

In terms of the signed order, these appeals are allowed.

(MAHABIR SINGH)  
COURT MASTER

(VEENA KHERA)  
COURT MASTER

(Signed order is placed on the file)