

ITEM NO.1 Court 3 (Video Conferencing) SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).20393/2019

(Arising out of impugned final judgment and order dated 15-02-2019 in CRMP No. 380/2018 passed by the High Court of Chhatisgarh at Bilaspur)

PRAVEEN DESHLAHRA Petitioner(s)

VERSUS

NAREHDRA SHUKLA & ORS. Respondent(s)

(OFFICE REPORT FOR DIRECTION)

Date : 09-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Petitioner-in-person

For Respondent(s)

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

- 1 Application for permission to appear and argue in person is allowed.
- 2 Delay of 115 days in refiling the Special Leave Petition is condoned.
- 3 The petitioner, Mr Praveen Deshlahra, has appeared in person. He has addressed his submissions in Hindi. During the hearing, this court has apprised him of the position as it appears on the basis of the record.
- 4 In November 2014, an FIR was registered against the petitioner for offences under Sections 406 and 420 of the Indian Penal Code 1860. The alleged offences

have arisen out of the performance of a contract between the petitioner and the State of Chhattisgarh for custom - milling of paddy. During the pendency of those proceedings, in November 2016, the petitioner instituted a complaint under Section 200 of the Code of Criminal Procedure 1973 naming the District Collector and other state officials including the investigating officer as accused. This complaint has been dismissed and the High Court has declined to grant leave to appeal.

5 The filing of the subsequent complaint is manifestly an abuse of the process. On the basis of the record, we are of the view that the High Court was justified in passing the impugned order. Since the proceedings arising out of the earlier FIR are pending against the petitioner, it would be open to the petitioner to pursue such remedies as are available in law. Hence, for these reasons, we are not inclined to entertain the Special Leave Petition. However, we clarify that the observations contained in this order shall not affect the criminal proceedings which are pending and it would be open to the petitioner to pursue such remedies as are available in law.

6 Subject to the aforesaid, the Special Leave Petition is dismissed.

7 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER