

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S).886 OF 2017
@ SPECIAL LEAVE PETITION (CRL) NO.6437 OF 2016

DISTRICT CENTRAL CO- OPERATIVE BANK APPELLANT(s)

VERSUS

RAVINDRA KUMAR DUBEY AND ANR. RESPONDENT(s)

O R D E R

1. Heard the learned counsel for the parties.
2. Leave granted.
3. In our opinion, the High Court misadventured in quashing the proceedings in the manner in which the order has been passed. The High Court should have been little more careful while quashing the proceedings. Be that as it may, as agreed to, the impugned order is set aside.
4. The respondents to raise the question about the competency of the officer to investigate the matter before the Trial Court as and when the occasion arises, during the course of the trial.
5. Accordingly, the impugned judgment and order is set aside and the appeal is allowed.

..... J.
(ARUN MISHRA)

..... J.
(AMITAVA ROY)

NEW DELHI
MAY 3, 2017.

ITEM NO.14

COURT NO.12

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).6437/2016

(Arising out of impugned final judgment and order dated 08/07/2016 in MCRC No. 9915/2015 passed by the High Court of M.P. at Jabalpur)

DISTRICT CENTRAL CO- OPERATIVE BANK

Petitioner(s)

VERSUS

RAVINDRA KUMAR DUBEY AND ANR.
(With office report)

Respondent(s)

Date : 03/05/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Varun Thakur, Adv.
Mr. Varinder Kumar Sharma, Adv.
Ms. Shraddha Saran, Adv.

For Respondent(s) Mr. Sidharth Luthra, Sr. Adv.
Mr. Awanish Kumar, Adv.
Mr. Chandrashekhar, Adv.
Mr. Anshul Rai, Adv.
Mr. Sidharth, Adv.
Mr. Kannu Aggarwal, Adv.
Mr. Sandeep, Adv.

Ms. Prachi Mishra, Adv.
Mr. C. D. Singh, Adv.

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

The appeal is allowed in terms of the signed order.

(B.Parvathi)
Court Master

(Madhu Narula)
Court Master

(Signed order is placed on the file)