

ITEM NO.23 Court 14 (Video Conferencing) 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 (CrI.) No(s). 9578/2021

(Arising out of impugned final judgment and order dated 13-09-2021 in CRLMWP No. 6574/2021 passed by the High Court Of Judicature At Allahabad)

SUPER CITY RESIDENTIAL WELFARE SOCIETY & ANR. PETITIONER(S)

VERSUS

THE STATE OF U.P. & ORS. RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No.161370/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.161371/2021-EXEMPTION FROM FILING O.T. and IA No.161372/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 17-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Devashish Bharuka, AOR
 Ms. Sarvshree Adv.
 Mr. Justine George Adv.
 Mr. Manas Syal Adv.

For Respondent(s)

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

Learned Counsel for the petitioners submit that on their complaint FIR No.629/2018, under Section 420 of the Indian Penal Code was registered on 26.05.2018 at Police Station Baradari, District Bareilly, but when there was no progress in the investigation, the petitioners approached the High Court by filing of a Writ Petition, which has been disposed of by the impugned

order dated 13.09.2021 with a direction to the respondent no.3, Senior Superintendent of Police, Bareilly to ensure that there shall be free and fair investigation in reference to the FIR in question.

Learned Counsel submits that investigation is pending for the last almost three years and unless it is expedited, no conclusion will come forward.

Since the order has been passed by the High Court with a direction to the concerned authority, i.e. Senior Superintendent of Police, Bareilly, to ensure that free and fair investigation is conducted and concluded in accordance with law, there appears no reason, at this stage, to interfere in the present Special Leave Petition.

However, we consider it appropriate to observe that if the investigation is still not concluded within the reasonable time, the petitioners are at liberty to file a miscellaneous application before the High Court for seeking further appropriate orders.

The Special Leave Petition is disposed of in the above terms.

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

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)