

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2150 of 2017
(Arising out of SLP(Crl.)No.8900 of 2014)

THE STATE OF MADHYA PRADESH

Appellant(s)

VERSUS

DWARKA SINGH THAKUR

Respondent(s)

O R D E R

Leave granted.

The respondent was charged of the offences punishable under Sections 376 and 306 I.P.C. The High Court has quashed the charge.

Having regard to the facts and circumstances, it was not permissible for the High Court to interfere with the charge. The defence is not open to be considered at this stage.

Accordingly, we allow this appeal and set aside the impugned order. The order of the trial court is restored.

The trial court is directed to proceed with the matter in accordance with law. The parties are directed to appear before the trial court for further proceedings on Monday, 12th February, 2018.

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

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

New Delhi,
December 11, 2017.

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). 8900/2014

(Arising out of impugned final judgment and order dated 06-03-2013 in CRLRN No. 1678/2011 passed by the High Court Of MADHYA PRADESH Principal Seat At Jabalpur)

THE STATE OF MADHYA PRADESH

Petitioner(s)

VERSUS

DWARKA SINGH THAKUR

Respondent(s)

Date : 11-12-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Ankit Kr. Lal, Adv.
Mr. Mishra Saurabh, AORFor Respondent(s) Mr. Varun Thakur, Adv.
Ms. Shraddha Saran, Adv.
Mr. Varinder Kumar Sharma, AORUPON hearing the counsel the Court made the following
O R D E R

Leave granted.

In terms of the signed order, the appeal is allowed.

Pending applications, if any, shall also stand disposed
of.(MAHABIR SINGH)
COURT MASTER(PARVEEN KUMARI PASRICHA)
COURT MASTER

(Signed order is placed on the file)