

ITEM NO.43

COURT NO.1

SECTION X

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

Writ Petition (Criminal) No. 190/2017

LALITA DEVI

Petitioner

VERSUS

STATE OF U.P. & ANR.

Respondents

(IA No.134048/2017-SEEKING PERMISSION TO AMEND THE PRAYER and IA No.23175/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS, IA No.37805/2018-CLARIFICATION/DIRECTION)

Date : 03-08-2018 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner

Ms. Meenakshi Arora, Sr. Adv.
Mr. Susheel Tomar, Adv.
Mr. D.S. Parmar, Adv.
Mr. Rahul Kaushik, Adv.
Mr. Meenesh Dubey, Adv.
Mr. Rajesh Srivastav, Adv.
Mr. Balraj Dewan, AOR

For Respondents

Ms. Aishwarya Bhati, AOR
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Sandeep Singh, Adv.

Mr. Abhishek, AOR

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

Application(s) for permission to file additional documents is allowed.

Heard Ms. Meenakshi Arora, learned senior counsel assisted by Mr. Meenesh Dubey, learned counsel appearing for the petitioner and Ms. Aishwarya Bhati, learned Additional Advocate General for the State of

U.P.

Though the prayer in the writ petition is different, we think it appropriate to mould the prayer, for the essential grievance of the petitioner is that some of the accused persons have not been roped in the crime and further that offences under Sections 376D and 452 of the Indian Penal Code (I.P.C.) have not been added. As the chargesheet has been filed, without quashing the same, we think it appropriate that the Central Bureau of Investigation (C.B.I.) should further investigate if any accused has been left out, and further whether the accused persons who are presently facing the charge, can be booked under Sections 376D and 452 of the I.P.C. or any other offence.

The interim protection granted by this Court in favour of the petitioner, shall remain in force.

A copy of the order passed today be supplied to Mr. P.K. Dey, learned counsel, who ordinarily appears for the C.B.I.

Liberty is granted to Mr. Meenesh Dubey, learned counsel, assisting Ms. Meenakshi Arora, learned senior counsel for the petitioner to serve a copy of the order on Mr. P.K. Dey, learned counsel alongwith a copy of the writ petition and other necessary documents.

The writ petition is accordingly disposed of.

Pending interlocutory applications, if any, shall also stand disposed of.

(Deepak Guglani)
Court Master

(H.S. Parasher)
Assistant Registrar