

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL No.184/2017

D.K SRIVASTAVA

APPELLANT

VERSUS

THE STATE OF RAJASTHAN & ORS.

RESPONDENTS

ORDER

1. After investigating the complaint lodged by the appellant, the Investigating Officer filed a closure report. Simultaneously, the appellant filed a protest petition. While the protest petition was dismissed, the closure report was accepted by the jurisdictional magistrate. The appellate court, on being approached, dismissed the appellant's appeal. The High Court dismissed the revision, which was preferred by the appellant, by the impugned judgment and order.

2. Although, it is true that the High Court has passed a very cryptic order while dismissing the revisional application of the appellant, we have perused the records ourselves and find that absolutely vague allegations were leveled against the accused by the appellant in the complaint. Even in the statements recorded under Section 161 of the Code of Criminal Procedure, 1973, one brother and a friend of the

appellant had also made equally vague statements which were not sufficient to result in filing of a charge-sheet against the accused.

3. The trial and appellate courts below were, therefore, justified in not entertaining the appellant's grievance.

4. The appeal is, accordingly, dismissed.

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

.....J.
(DIPANKAR DATTA)

.....J.
(MANMOHAN)

**New Delhi;
January 16th, 2025**

ITEM NO.102

COURT NO.15

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

Criminal Appeal No.184/2017

D.K SRIVASTAVA

Appellant

VERSUS

THE STATE OF RAJASTHAN & ORS.

Respondents

Date : 16-01-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s): Mr. Naresh Kumar, AOR
Mr. Dinesh Kumar, Adv.

For Respondent(s): Mr. Sandeep Kumar Jha, AOR
Mr. Shiv Mangal Sharma, A.A.G.
Ms. Nidhi Jaswal, Adv.
Mr. Saurabh Rajpal, Adv.

Mr. Rajeev Sharma, Sr. Adv.
Mr. Uddyam Mukherjee, AOR
Mr. Swapnil Pattanayak, Adv.
Mr. Agnibha Chatterjee, Adv.
Mr. Nishant Kandpal, Adv.

Ms. Sushma Suri, AOR
Mr. Arvind Kumar Sharma, AOR

Mr. Vikramjeet Banerjee, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Sridhar Potaraju, Adv.
Mr. Adit Khorana, Adv.
Mr. Shantnu Sharma, Adv.
Mr. P. V. Yogeswaran, Adv.

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

1. The criminal appeal stands dismissed in terms of the signed order.

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

(RASHMI DHYANI PANT)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)