

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO.1551 OF 2017  
(@ S.L.P. (Cr1.) No.9384 of 2012)

LALIT AGARWAL

APPELLANT(S)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

Having perused the impugned order, we find that the High Court did not examine any of the issues specifically raised by the appellant herein and also before the High Court nor took into consideration any material which was brought on record by the appellant including the police report.

Since the High Court neither adverted to the facts of the case nor the material relied on by the appellant while seeking to quash the charges levelled against him under Section 323, 379 and 506 IPC, we are inclined to allow this appeal; set aside the impugned order and remand the case to the High Court to decide Section 482 CrPC Petition filed by the appellant afresh in accordance with law on merits.

In the meantime, the interim protection granted by the High Court to the appellant shall continue till the final disposal of Section 482 CrPC Petition.

With these directions, the appeal succeed and is allowed.

.....J.  
(ABHAY MANOHAR SAPRE)

.....J.  
(A.M.KHANWILKAR)

NEW DELHI,  
AUGUST 25, 2017.

ITEM NO.23

COURT NO.13

SECTION II

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 9384/2012  
 (Arising out of impugned final judgment and order dated 24-09-2012  
 in AN No. 22096/2012 passed by the High Court of Judicature at  
 Allahabad)

LALIT AGARWAL

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH &amp; ANR.

Respondent(s)

Date : 25-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE  
 HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s)

Mr.Firasat Ali, Adv.  
 Mr.Aeltemesh Rein, Adv.  
 Mr.Anil K. Chopra, AOR

For Respondent(s)

Ms.Aishwarya Bhati, AAG  
 Mr.Ardhendumauli Kumar Prasad, Adv.  
 Mr.Rohit Pandey, Adv.

Mr.Sarfaraz Khan, Adv.  
 Mr.Arvind Kumar, Adv.  
 Mr.Ram Swarup Sharma, Adv.

Mr.Abhishth Kumar, AOR

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

Leave granted.

The appeal is allowed in terms of the signed order.

(Ashok Raj Singh)  
 Court Master

(Uma Malhotra)  
 Court Master

(Signed Order is placed in the file)