

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.711 OF 2017

KARVY STOCK BROKING LTD ... APPELLANT(S)

VS.

AJAY KUMAR JAIN & ANR. ... RESPONDENT(S)

WITH

CRIMINAL APPEAL NO.712 OF 2017

O R D E R

Heard the learned counsel appearing for the parties. We are informed that the first respondent in Criminal Appeal No.711 of 2017 has died and his heirs have been brought on record before the High Court.

In a petition under Section 482 of the Code of Criminal Procedure, 1973 filed by the appellant for quashing the summoning order passed on a complaint case, the High Court granted interim relief on 17th April, 2015 by which the proceedings before the Trial Court were stayed. We find that the interim order dated 17th April, 2015 was extended thereafter on more than one occasions when time was sought on behalf of the second respondent. By the impugned order, while granting permission to the appellant to file a rejoinder affidavit, without

recording any reasons, the High Court vacated the stay granted on 17th April, 2015 but at the same time directed the Trial Court to adjourn the case by a week. The High Court has not given reasons for vacating the stay granted on 17th April, 2015 which was extended on two occasions on the ground that the second respondent sought time. Moreover, the High Court has not given any reasons for vacating the stay.

Hence, we dispose of the appeals by directing that the stay granted by the High Court on 17th April, 2015 in Criminal M.C Nos.1530 and 1503 of 2015 will continue to operate till the disposal of the pending petition.

We make it clear that we have not expressed any opinion on the merits of the pending petition.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
February 20, 2025

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

Criminal Appeal No(s). 711/2017

KARVY STOCK BROKING LTD

Appellant(s)

VERSUS

AJAY KUMAR JAIN & ANR.

Respondent(s)

(IA No. 2471/2016 - PERMISSION TO FILE ANNEXURES)

WITH Cr1.A. No. 712/2017

(IA No. 2483/2016 - PERMISSION TO FILE ANNEXURES)

Date : 20-02-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) :

Mr. Rajshekhar Rao, Sr. Adv.
Ms. Gauri Puri, Adv.
Mr. Yadav Narendra Singh, AOR

For Respondent(s) :

Mr. Chirag M. Shroff, AOR

Mr. Pramod Dayal, AOR
Mr. Nikunj Dayal, Adv.
Mr. Rakesh Kumar, Adv.

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

The appeals are disposed of in terms of the signed
order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)