

ITEM NO.45

COURT NO.5

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 671/2017

(Arising out of impugned final judgment and order dated 10-03-2016 in CRMWP No. 5211/2016 passed by the High Court Of Judicature At Allahabad)

NISHA RAJPUT

Petitioner(s)

VERSUS

DR. ANAND PRATAP SINGH &amp; ORS.

Respondent(s)

Date : 04-12-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Rishi Malhotra, AOR

For Respondent(s) Mr. Amit Kumar Singh, Adv.  
Mr. Kamendra Mishra, Adv.  
Mr. Sourav Roy, Adv.  
Mr. Adarsh Upadhyay, AORMr. Shivam Pandey, Adv.  
Mr. Anjani Kumar Mishra, AOR  
Mr. Dere Kishor Shankar, Adv.  
Mr. Sudhir Aggrawal, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Heard the learned counsel for the petitioner, first respondent and the State.

The petitioner is aggrieved since the High Court has granted an otherwise impermissible protection in exercise of its jurisdiction under Section 482 Cr.P.C. despite observing that there is a prima facie case against the first respondent.

Be that as it may, all that the Court needs to clarify is that the protection granted to the first respondent herein is only till the police files report under Section 173(2) Cr. P. C. Thereafter, the first respondent has to seek regular bail in case he has been summoned pursuant to the 173(2) Report.

In view of the above, the Special Leave Petition is disposed of.

Pending Interlocutory Applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR