

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No.1012/2017

RAKESH KUMAR

Appellant(s)

VERSUS

THE STATE OF RAJASTHAN & ANR.

Respondent(s)

O R D E R

This appeal is filed by the appellant against the order of rejection of application filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of First Information Report No.114 of 2015 under Sections 376 and 377 of the Indian Penal Code by the High Court.

We have heard Mr. Rajiv Dutta, learned Senior counsel appearing on behalf of the appellant, learned counsel appearing on behalf of the State of Rajasthan and the learned counsel appearing on behalf of Respondent No.2 - complainant at length.

During the course of hearing, it was brought to our notice by the learned Senior counsel, that the concerned Police Authorities have not yet completed any investigation and have not filed any Charge-Sheet/Report in the matter so far.

Under the circumstances, without going into the merits of the case, we dispose of the appeal with a direction to the concerned Police Authorities to conduct investigation expeditiously in accordance with law and file a Report before the concerned Court.

Till such time, we direct the concerned Police Authorities to not to arrest the appellant.

If a Charge-sheet is filed in the matter, the appellant is directed to surrender himself before the concerned Court and obtain regular bail.

The appellant is directed to cooperate with the investigating agency without fail.

.....J  
(N.V. RAMANA)

.....J  
(MOHAN M. SHANTANAGUDAR)

.....J  
(S. ABDUL NAZEER)

NEW DELHI;  
25TH APRIL, 2019.

ITEM NO.101

COURT NO.3

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

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Date : 25-04-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR  
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s)

Mr. Rajiv Dutta, Sr. Adv.  
Mr. Brijendra Chauhan, Sr. Adv.  
Mr. Vinay Garg, AOR  
Mr. Uday Singh, Adv.  
Mr. Shashi Bhushan, Adv.

For Respondent(s)

Mr. H.D. Thanvi, Adv.  
Ms. Preeti Thanvi, Adv.  
Mr. Rishi Matoliya, AOR  
  
Dr. Manish Singhvi, Sr. Adv.  
Mr. Shailja Nanda, Adv.  
Ms. Ruchi Kohli, AOR

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

The appeal is disposed of in terms of the signed order.

(VISHAL ANAND)  
COURT MASTER (SH)

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR

(Signed Order is placed on the file)