

ITEM NO.63

COURT NO.6

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 (CrI.) No(s). 10915/2023

(Arising out of impugned final judgment and order dated 31-05-2023 in CRMWP No. 6138/2023 passed by the High Court Of Judicature At Allahabad)

SACHIN CHAUDHARY

Petitioner(s)

VERSUS

THE STATE OF U.P. & ORS.

Respondent(s)

(IA No.176027/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.176028/2023-EXEMPTION FROM FILING O.T.)

Date : 11-09-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Rakesh Kumar Verma, Adv.
Mr. Vijendra Kumar Verma, Adv.
Mr. Yogendra Kumar Verma, Adv.
Mr. V K Shukla, Adv.
Mr. Rahul Singh, Adv.
Ms. Riya Soni, Adv.
Mr. Abhaya Nath Das, Adv.
Mr. Gulam Rabbani, Adv.
Ms. Arina Bhattacharjee, Adv.
Mr. Kaivalya C Ratnaparkhe, Adv.
Mr. Satish Kumar, AOR

For Respondent(s)

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

Heard learned counsel for the petitioner.

Signature Not Verified
Digitally signed by
NIRMALA NEGI
Date: 2023.09.13
17:50:01 IST
Reason: []

The allegations against the petitioner are of making abusive and derogatory comments about holder of a high office. The petitioner applied for quashing an F.I.R. registered in that

regard. In the F.I.R., the commission of offences with which the petitioner has been implicated are under Sections 153A, 505(2) and 504 of the Indian Penal Code. The petitioner applied to the jurisdictional High Court seeking quashing of the proceeding arguing that even if the allegations made in the F.I.R. are taken to be true, the same would not constitute an offence under Section 153A of the IPC. This argument of the petitioner has been summarized in the order of the High Court, in which the quashing plea of the petitioner has been rejected. The law enforcement agency is still investigating the alleged commission of offences and they ought to decide on future course of action after completion of investigation. At this stage we do not think it is a fit case for interference.

The present petition is, accordingly, dismissed with the above observations.

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

(NIRMALA NEGI)
COURT MASTER (SH)

(VIDYA NEGI)
ASSISTANT REGISTRAR