

Samiksha Singh @ Nikki vs The State Of Uttar Pradesh on 19 November, 2020

Bench: D.Y. Chandrachud, Indu Malhotra

1

ITEM NO.25

Court 5 (Video Conferencing)

S

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (Crl.)

No(s)

(Arising out of impugned final judgment and order dated 28-05-2020 in CRMWP No. 5019/2020 passed by the High Court of Judicature at Allahabad)

SAMIKSHA SINGH @ NIKKI

Peti

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Resp

(WITH IA No.97785/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.97786/2020-EXEMPTION FROM FILING O.T.)

Date : 19-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s)

Mr. Ankur Yadav, AOR
Mr. Sanchit Garga, Adv.

For Respondent(s)

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

1 Mr Sanchit Garga, learned counsel appearing on behalf of the petitioner, submits that while the High Court declined to quash the FIR, at the same time, it has granted an order protecting the accused from arrest until the submission of the report under Section 173(2) of the Code of Criminal Procedure 1973 which, it has been submitted, is impermissible in law. He relies on a decision of this Court in State of Telangana v Habib Abdullah Jeelani¹.

2 Issue notice, returnable in three weeks.

1 (2017) 2 SCC 779 3 Liberty to serve the Standing Counsel for the State of Uttar Pradesh, in addition.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER