HIGH COURT OF MADHYA PRADESH : JABALPUR
DIVISION BENCH - SPL (Time 10:30 AM)
Daily Cause List dated : 25-07-2019
BEFORE: HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY & HON'BLE SHRI JUSTICE VISHAL DHAGAT
Court Room No.: 17

Note:- CASES FOR FINAL HEARING SHALL BE TAKEN UP BY ALL THE BENCHES IMMEDIATELY AFTER COMPLETION OF MOTION HEARING EVERYDAY. LAWYERS ARE REQUESTED TO GIVE LIST OF BOOKS TO READER IN ADVANCE.

NOTE : The facility of PoS (Point of Sale) machine for making online court fee is available at Presentation Centre of High Court of M.P., Jabalpur.

MOTION HEARING
[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	MCRC 10483/2010	DR. R.K.RAWAT	RAMAN PATEL, SANGEETA SHARMA, P.C.PATEL
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL

IPC - S. ,
CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - SECTION 482.
Relief - TO QUASH THE FIR
{Fixed Date/SPC} FOR DETERMINATION OF THE QUESTIONS FORMULATED BY THE HON'BLE SINGLE JUDGE, AND FOR CONSIDERATION ON THE FOLLOWING ISSUES:- (I) WHETHER SECTION 76 OF THE COOPERATIVE SOCIETIES ACT APPLIES ONLY TO THE OFFENCES UNDER SECTIONS 72D AND 74 OF THE COOPERATIVE SOCIETIES ACT OR ALSO TO THE OFFENCES UNDER SECTIONS 409,420,467, 468 OF THE IPC REGISTERED SIMULTANEOUSLY IN THE SAME FIR AT CRIME NO.942/2009 AND ON THE BASIS OF SAID PLEA. FIR FOR THE OFFENCES UNDER THE PROVISIONS OF THE IPC CAN BE QUASHED. (II) WHETHER THE JUDGEMENT OF LEARNED SINGLE BENCH IN THE CASE OF AVADHESH RAGHUVANSHI (SUPRA) AND DEVKI NANDAN DUBEY (SUPRA) LAY DOWNCORRECT LAW QUASHING THE FIR UNDER SECTION 409,420, 467, 468 OF THE IPC ALONGWITH THE OFFENCES UNDER SECTION 72D ABD 74 OF THE COOPERATIVE SOCIETIES ACT WITH THE HELP OF SECTION 76 OF THE COOPERATIVE SOCIETIES ACT AND SECTION 5 OF THE CR.P.C. LOOKING TO THE LAW LAID DOWN BY THE APEX COURT IN THE CASE OF K.ASHOKA VS. N.L.CHANDRASHEKAR AND OTHERS REPORTED IN AIR 2009 SC 3288. THE AFORESAID QUESTIONS ARE REFERRED TO THE LARGER BENCH TO ANSWER THE SAID QUESTIONS REPLACING THE QUESTIONS SO FORMULATED IN THE ORDER DATED 07/03/2017.

TOTAL CASES : 1 (with connected matters)

PR (J) / R (J-I) / R(J-II)