

ITEM NO.27

COURT NO.12

SECTION II-A

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). 4915/2024

[Arising out of impugned final judgment and order dated 20-04-2023 in CRR No. 1143/2023 passed by the High Court of Madhya Pradesh at Gwalior]

THE STATE OF MADHYA PRADESH

Petitioner(s)

VERSUS

POOJA TYAGI

Respondent(s)

(IA No. 63538/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 63540/2024 - EXEMPTION FROM FILING O.T.)

Date : 23-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA  
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Nachiketa Joshi, A.succumbed means in legalA.G.

Mr. Aditya Singh Ga, Adv.  
Mr. Yashraj Singh Bundela, AOR  
Ms. Saloni, Adv.  
Mr. Arpit Garg, Adv.  
Mr. Dhruv Sharma, Adv.

For Respondent(s) Mr. Abhinav Agnihotri, Adv.  
Mr. Vishal Arun Mishra, AOR  
Mr. Chinmoy Khaladkar, Adv.

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

Heard learned counsel for the parties.

It is alleged that respondent was part of a group which was extorting money from the hospital and the Doctors, blackmailing them that they are conducting prenatal diagnoses in violation of law. The respondent's name is not given in the FIR or anywhere-else except in the statement of the co-accused-Ajay Ahuja, who has

confessed before the police that he/she was actually extorting money from the hospital and Doctors and it was based on a sting operation conducted by four persons including the respondent. On the basis of this, respondent's name was put in the charge sheet. This is a statement which can never be read as an evidence. Moreover, it is not the case of the prosecution that even the statement made by the co-accused implicates the respondent herein in the extortion racket.

The respondent moved an application for quashing of charges framed in S.T.No.16/2022 vide order dated 28.01.2023 passed by the Additional Sessions Judge at Shivpuri for the offences punishable under Section 389, 419, 467 read with section 120-(B), section 468 read with section 120-(9), section 471 read with section 120-(B) of Indian Penal Code before the High Court under Section 397 & 401 of the Code of Criminal Procedure after framing of the charges. The High Court has rightly allowed the said application, effectively removing the name of the respondent from the list of accused in the charge sheet.

We find no reason to interfere with the order of the High Court, in exercise of our jurisdiction under Article 136 of the Constitution of India.

The present petition is, accordingly, dismissed along with pending application(s), if any.

(NIRMALA NEGI)  
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)  
ASSISTANT REGISTRAR