
(2001) 02 SC CK 0001

In the Supreme Court Of India

Case No : Special Leave Petition (Criminal) No. 2802 of 2000

Siyaram Singh

APPELLANT

Vs

State of M.P.

RESPONDENT

Date of Decision : 09-02-2001

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Citation : (2001) 02 SC CK 0001

Hon'ble Judges : U.C. Banerjee, J;G.B. Pattanaik, J

Bench : Division Bench

Advocate : A.K. Chitale, Shekhar Bhargava, Niraj Sharma, Mrs. Shilpa Chitale and S.S. Bansal, for the Appellant; Uma Nath Singh, for the Respondent

Final Decision : Disposed Of

Judgement

G.B. Pattanaik and U.C. Banerjee, JJ.—This petition is directed against the impugned order of High Court, the High Court having refused to exercise its power u/s 482 on being approached because of certain directions of the Court in N.D. Singhal Vs State of M.P. and Others . It appears that on a public interest litigation, the Court had issued certain directions in Singhal case as the Court came to the conclusion that in motor vehicles accidents claims, the claimants are facing a great deal of inconvenience in getting compensation, and as such the direction purports to redress the grievance of the claimants generally. It is contended before us by the learned counsel for the petitioner that the aforesaid direction takes away the discretion of the appropriate authority under the Code and tantamounts to a Legislation by the Court, which the Court does not possess. The learned counsel for the respondent, on the other hand, contended that such directions have been issued for the benefit of the entire litigants in all such cases, and as such the said direction in Singhal's case (supra) should not be interfered with.

2. Having regard to the facts and circumstances of the case, and going through the directions contained in Singhal's case (supra), we have no manner of doubt

that such direction obviously takes away the discretion of the appropriate Court under different provisions of the Code, which cannot be taken away by observation of the High Court howsoever beneficiary directions may be. In that view of the matter, we observe that the discretion of the appropriate Court under any provision of law is not fettered with the aforesaid directions.

3. The SLP is disposed of.