

Court No. - 28

Case :- GOVERNMENT APPEAL No. - 34 of 2023

Appellant :- State of U.P.

Respondent :- Dinesh @ Dullar And Ors.

Counsel for Appellant :- Govt. Advocate

Hon'ble Shree Prakash Singh,J.

Vakalatnam filed by Sri Punit Kumar Shukla on behalf of respondent No.2 as well as Ms. Versha Rani Srivastava for respondent Nos.1 and 4 are taken on record.

Office is directed to print the name of the respective counsel in the next cause list.

Heard Sri Anirudh Kumar Singh, learned A.G.A. for the State, learned counsel for respondent Nos.1, 2 & 4 and perused the material available on record.

The instant appeal has been filed by the State with a prayer to set aside the judgment and order dated 26.02.2016 passed by learned Additional Sessions judge Court No.2, Sitapur acquitting the respondents from charges under Sections 147, 148, 452, 323/149, 504, 506 I.P.C. and Section 3(1)10 of the SC/ST Act in Session Trial No.95/02.

Learned counsel appearing for respondents submits that vide order dated 07.04.2023, bailable warrants were issued against respondents through Chief Judicial Magistrate concerned and in compliance thereof, the respondent Nos.1, 2 & 4 appeared before the court of Chief Judicial Magistrate and have furnished personal bond and sureties and they have been enlarged on bail. He next submits that the respondents undertake that they will cooperate with the hearing of the appeal and thus the personal appearance of the respondents may be exempted. He has also intimated that the respondent No.3 died.

In view of the aforesaid submissions, the personal appearance of the respondent Nos.1, 2 & 4 are hereby exempted.

The Chief Judicial Magistrate concerned is directed to submit live status report with respect to the respondent No.3 in accordance with the Circular letter no.15/2005: VIIIIB-119: Dated April 19, 2005 and Circular letter no.04/Admin.G-ii dated : Allahabad 18.01.2017 of this Court; by the next date fixed.

List/put up this matter for hearing in week commencing 01.07.2023.

Order Date :- 15.5.2023

Saurabh Yadav/-