

ITEM NO.7

COURT NO.16

SECTION II

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 for Special Leave to Appeal (Crl.) No. 5121/2020

[Arising out of impugned final judgment and order dated 30-05-2019 in CRA No. 2232/1983 passed by the High Court of Judicature at Allahabad]

THE STATE OF UTTAR PRADESH

Petitioner(s)

VERSUS

MADAN & ANR.

Respondent(s)

Date : 18-12-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Ms. Sakshi Kakkar, AOR
Ms. Simran Gill, Adv.

For Respondent(s) Mr. Pradeep Kumar Yadav, Adv.
Mr. Vishal Thakre, Adv.
Mr. Gopal Singh, Adv.
Ms. Anjale Kumari, Adv.
Ms. Chhaya, Adv.
Mr. Sunil Kumar Srivastava, Adv.
Mr. Gurmeet Singh, Adv.
Mr. Praveen, Adv.
Mr. Sanjeev Malhotra, AOR

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

Heard Ms. Sakshi Kakkar, learned counsel
appearing for the petitioner-State of Uttar Pradesh
and learned counsel appearing for the respondents.

The Trial Court has convicted and awarded life
imprisonment to the accused persons namely, 'Gulzari
Lal', 'Madan', 'Ravi Shankar' and 'Dori Lal', under

Sections 302 r/w 149 of the Indian Penal Code (for short, 'IPC') and 'Virender' under Section 302 IPC. During appeal before the High Court, two of the co-accused persons have died and the other two co-accused persons other than Virendra have been acquitted by giving the benefit of doubt.

It has come on record that the deceased had died due to the injuries which are all attributed to Virendra and that he is the main culprit. It has not been proved that any injury was inflicted upon the deceased by the other co-accused persons.

In view of the above, we are of the opinion that the High Court has not committed any error or illegality in acquitting the respondents. As such, no interference is called for under Article 136 of the Constitution of India.

The present petition is, accordingly, dismissed.

Pending application(s), if any, shall stand disposed of.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(RAM SUBHAG SINGH)
COURT MASTER (NSH)