

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 261/2020  
@ SPECIAL LEAVE PETITION (CRIMINAL) NO.1300/2020  
@ DIARY NO(S). 11030/2018

RAKESH KUMAR RASTOGI

APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

O R D E R

1. Delay condoned.
2. Leave granted.
3. The High Court has dismissed the criminal appeal by a laconic order. Considering the facts and circumstances of the case, in our opinion, it was a case where leave to appeal ought to have been granted by the High Court.
4. Considering the overall circumstances of the case, we set aside the impugned order. Let the leave be granted by the High Court and to proceed in accordance with law.
5. The appeal is, accordingly, disposed of.
6. Pending application(s), if any, shall stand disposed of.

.....J.  
[ARUN MISHRA]

.....J.  
[INDIRA BANERJEE]

NEW DELHI;  
FEBRUARY 10, 2020.

ITEM NO.59

COURT NO.3

SECTION II

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL)... DIARY NO(S). 11030/2018

(Arising out of impugned final judgment and order dated 10-05-2017 in CRLA No. 744/2015 passed by the High Court of Judicature at Allahabad)

RAKESH KUMAR RASTOGI

PETITIONER(S)

VERSUS

STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

Date : 10-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Haneef Mohammad, Adv.  
Mr. Anil Vyas, Adv.  
Mr. B. Ramana Murthy, AOR

For Respondent(s) Mr. Ajay Vikram Singh, AOR  
Mr. Abhinav S. Raghuvanshi, Adv.  
Mr. Rakesh Chauhan, Adv.  
Ms. Priyanka Singh, Adv.  
Mr. Chandra Shekhar, Adv.

Mr. Divyesh Pratap Singh, AOR  
Mr. Shantanu Sharma, dv.  
Ms. Deeksha Gaur, Adv.  
Mr. Shivangi Singh, Adv.

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

Delay condoned.

Leave granted.

The appeal is disposed of in terms of the signed order.

(NARENDRA PRASAD)  
A.R-CUM-P.S.

(JAGDISH CHANDER)  
COURT MASTER

(Signed order is placed on the file)