

ITEM NO.25

COURT NO.3
(HEARING THROUGH VIDEO CONFERENCING)

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11179/2021

(Arising out of impugned final judgment and order dated 15-04-2019 in CRLMTBA No.90443/2009 passed by the High Court Of Judicature At Allahabad)

VIJENDRA

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(FOR ADMISSION and I.R.; IA No.59520/2021 - FOR CONDONATION OF DELAY IN FILING; IA No.59521/2021 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; and, IA No.59522/2021 - FOR EXEMPTION FROM FILING O.T.)

WITH

Diary No.11385/2021 (II)

(FOR ADMISSION and I.R.; IA No.59549/2021 - FOR CONDONATION OF DELAY IN FILING; IA No.59551/2021 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.59552/2021 - FOR EXEMPTION FROM FILING O.T.; and, IA No.59553/2021 - FOR EXEMPTION FROM FILING AFFIDAVIT)

SLP(Cr1) No.3592/2021 (II)

(FOR ADMISSION and I.R.; IA No.59797/2021 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; and, IA No.59798/2021 - FOR EXEMPTION FROM FILING AFFIDAVIT)

Diary No.11189/2021 (II)

(FOR ADMISSION and I.R.; IA No.59443/2021 - FOR CONDONATION OF DELAY IN FILING; IA No.59440/2021 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; and, IA No.59442/2021 - FOR EXEMPTION FROM FILING O.T.)

Diary No.11475/2021 (II)

(FOR ADMISSION and I.R.; IA No.60264/2021 - FOR CONDONATION OF DELAY IN FILING; IA No.60265/2021 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.60266/2021 - FOR EXEMPTION FROM FILING O.T.; and, IA No.60267/2021 - FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT)

Diary No.11389/2021 (II)
(FOR ADMISSION and I.R.; IA No.60347/2021 - FOR CONDONATION OF
DELAY IN FILING; IA No.60345/2021 - FOR EXEMPTION FROM FILING C/C
OF THE IMPUGNED JUDGMENT; IA No.60346/2021 - FOR EXEMPTION FROM
FILING O.T.; and, IA No.60348/2021 - FOR EXEMPTION FROM FILING
AFFIDAVIT)

Date : 11-05-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Nagendra Singh, Adv.
Dr. Sanjay Gupta, Adv.
Ms. Akanska, Adv.
Mr. Ronak Karanpuria, AOR

For Respondent(s)

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

Learned counsel for the petitioners submits as under:

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11179/2021

Petitioner, Vijendra has been convicted by the trial court under Sections 302/149 and 148 of the Indian Penal Code, 1860 and sentenced to suffer rigorous imprisonment for life, with imposition of fine of Rs.10,000/- and default sentence. The appeal preferred by the petitioner is pending before the High Court since 2009. He has completed the sentence of 14 years 1 month 28 days.

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11385/2021

Petitioner, Raj Kumar @ Kaluwa has been convicted by the trial court under Sections 147, 148, 404, 411, 506 and 302/149 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1959 and sentenced to suffer rigorous imprisonment for life, with

certain other terms of imprisonment, with imposition of fine and default sentence. The appeal preferred by the petitioner is pending before the High Court since 2010. He has already undergone imprisonment of 12 years 8 months 5 Days.

SPECIAL LEAVE PETITION (CRIMINAL) No.3592/2021

Petitioner, Virender has been convicted by the trial court under Sections 302/149 and 148 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 and sentenced to suffer rigorous imprisonment for life, with imposition of fine and default sentence. The appeal preferred by the petitioner is pending before the High Court since 2010. He has completed the imprisonment of 11 years.

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11189/2021

Petitioner, Kamal Singh has been convicted by the trial court under Sections 304B, 498-A of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961, and sentenced to suffer rigorous imprisonment for life, with certain other terms of imprisonment for other offences and imposition of fine and default sentence. The appeal preferred by the petitioner is pending before the High Court since 2014. He has already undergone imprisonment of 10 years 8 months and 29 days.

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11475/2021

Petitioner, Banti @ Upendra Krishna Pathak has been convicted by the trial court under Sections 302/34, 364A and 201 of the Indian Penal Code, 1860 and sentenced to suffer rigorous imprisonment for life, with other terms of imprisonment for other offences, with imposition of fine and default sentence. The appeal

preferred by the petitioner is pending before the High Court since 2017. He has already undergone imprisonment of 10 years 2 months and 3 days.

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11389/2021

Petitioner, Uday Vir has been convicted by the trial court under Sections 302/34, and sentenced to suffer rigorous imprisonment for life, with imposition of fine and default sentence. The appeal preferred by the petitioner is pending before the High Court since 2007. He has already undergone imprisonment for 15 years 8 months and 13 days.

It is submitted by the learned counsel that the applications preferred by all these petitioners for relief under Section 389 of the Code of Criminal Procedure, 1973 having been rejected by the High Court, the present Special Leave Petitions have been preferred.

Delay condoned.

Issue notice, returnable on 21.05.2021. Let these Special Leave Petitions be listed before the learned Vacation Bench of this Court.

Dasti service, in addition, is permitted.

Liberty is granted to serve the learned Standing Counsel for the State.

(MUKESH NASA)
COURT MASTER

(NISHA TRIPATHI)
BRANCH OFFICER