

ITEM NO.23 Court 6 (Video Conferencing) SECTION PIL-W

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

Writ Petition(s)(Criminal) No(s). 339/2021

RAJENDRA & ANR.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and IA No.99561/2021-GRANT OF BAIL and IA No.99562/2021-EXEMPTION FROM FILING O.T. and IA No.99563/2021-EXEMPTION FROM FILING AFFIDAVIT)

WITH

W.P.(Cr1.) No. 344/2021 (X)

(FOR ADMISSION and IA No.100183/2021-GRANT OF BAIL and IA No.100184/2021-EXEMPTION FROM FILING O.T.)

W.P.(Cr1.) No. 343/2021 (X)

(FOR ADMISSION and IA No.99983/2021-GRANT OF BAIL and IA No.99984/2021-EXEMPTION FROM FILING O.T. and IA No.99988/2021-EXEMPTION FROM FILING AFFIDAVIT)

Date : 27-08-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Z.U. Khan, Adv.
23 & 23.2 Mr. Yunus Malik, Adv.
 Mr. Anish Maheshwari, Adv.
 Mr. Aman Malik, Adv.
 Ms. Nida Khan, Adv.
 Mr. Samir Malik, AOR

23.1 Mr. Yunus Malik, Adv.
 Mr. Anish Maheshwari, Adv.
 Mr. Aman Malik, Adv.
 Ms. Nida Khan, Adv.
 Mr. Samir Malik, AOR

For Respondent(s)

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

W.P. (Cr1.) Nos. 339/2021 & 343/2021

We are examining in some of the petitions the

issue arising from appeals not being taken up and the persons remaining in detention in the State of Uttar Pradesh. The State has also expressed certain views and we have issued notice to the High Court to work out a system. In fact the State has stated after consultation with the Registrar of the High Court that in many cases when the appeals come up for hearing, the counsel for the accused don't want to argue the appeals but are only interested in bail.

It is not possible to have all the matters brought before this Court and thus we think that the appropriate course of action for these petitioners is to approach the High Court so that either the High Court will take up the appeals for hearing or may consider enlargement on bail depending upon the factual scenario of each case. It is not possible for this Court to take up all individual cases pending before the High Court whether before the Lucknow Bench or the Allahabad High Court.

We thus, dismiss these petitions with liberty to the petitioners to approach the High Court.

Pending applications stand disposed of.

W.P.(Cr1.) No. 344/2021

The grievance of the petitioner is that the plea of remission has been rejected by the order of

the Committee, dated 21.10.2020. We are of the view that the appropriate recourse is to challenge the same before the Uttarakhand High Court.

The writ petition is dismissed with the aforesaid liberty.

Pending applications stand disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)