

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.88 OF 2017
(ARISING OUT OF SLP (CRL.) NO.3995 OF 2015

JAGAN @ JAY PAL

.....APPELLATE

VS.

STATE OF U.P. & ANR.

.....RESPONDENTS

O R D E R

Leave granted.

Heard Ms. Shashi Kiran, learned counsel for the appellant and Mr. Ratnakar Dash, learned Senior Counsel, being assisted by Mr. Abhishek Chaudhary, learned counsel for the respondents.

In the course of hearing, we have been apprised that the son of the appellant died in an accident and when there was a congregation, an FIR was lodged for the offences punishable under sections 147, 148, 341, 353 of the Indian Penal Code and section 7 of the Criminal Law Amendment Act.

In our considered opinion, when there is no allegation against the appellant except being present, we think it appropriate that the criminal proceedings against him should be quashed. It is ordered accordingly.

We may clarify that we are only quashing the criminal proceedings qua the present appellant.

It is made clear that that we have not expressed any opinion with regard to other accused persons and liberty is granted to them to approach the appropriate court, if they are so advised.

With the aforesaid directions, the appeal and the pending interlocutory applications, stand disposed of.

.....,J.
(DIPAK MISRA)

.....,J.
(R. BANUMATHI)

NEW DELHI;
JANUARY 9, 2017.

ITEM NO.60

COURT NO.2

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(s) for Special Leave to Appeal (Crl.) No(s).3995/2015

(Arising out of impugned final judgment and order dated 24/02/2015 in AN No.5322/2015 passed by the High Court Of Judicature at Allahabad)

JAGAN @ JAY PAL

Petitioner(s)

VERSUS

STATE OF U.P. & ANR.

Respondent(s)

(With appln. (s) for impleadment and stay of arrest and interim relief and office report)

Date : 09/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Ms. Shashi Kiran, Adv.
Mr. Satish Chandra, Adv.
Ms. Usha Mishra, Adv.

For Respondent(s) Mr. Ratnakar Dash, Sr. Adv.
Mr. Abhishek Chaudhary, Adv.
Mr. Vikas Chaudhary, Adv.

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

Leave granted.

The appeal and the pending interlocutory applications, stand disposed of in terms of the signed order.

(Sanjay Kumar-II)
Court Master

(H.S. Parasher)
Court Master

(Signed Order is placed on the file)