

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). 15885/2020

(Arising out of impugned final judgment and order dated 29-11-2019 in IA No. 1/2019 in CRLA No.1809/2019 passed by the High Court of Karnataka at Bengaluru)

ABBAS @ ABBAS ALI

Petitioner(s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.70569/2020-CONDONATION OF DELAY IN FILING and IA No.70570/2020-EXEMPTION FROM FILING O.T.)

Date : 24-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. K. V. Muthu Kumar, AOR

For Respondent(s)

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

Delay condoned.

Learned counsel for the petitioner has invited out attention to paragraph 95 of the impugned judgment to contend that his role was only to kick the deceased but that in view of the common intention, he has been held guilty for the same offence. It is further submitted that the incident is of 13.5.2013 and the petitioner has been on bail during trial from 24.9.2013.

On the Court query, he submits that the petitioner has already undergone a sentence of 2-1/2 years.

We are not inclined at this stage to interfere with the impugned order but if the appeal cannot be taken up in the next six months, we give liberty to the petitioner to move a bail application before the High Court which should specifically deal with the aforesaid issue.

The special leave petition is dismissed in view aforesaid.

Pending application shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR