

ITEM NO.5

COURT NO.7

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(s). 17793/2018

(Arising out of impugned final judgment and order dated 21-12-2012 in CRLA No. 3669/2003 & 21-12-2012 in CRLA No. 02/2004 passed by the High Court Of Judicature At Allahabad)

RAJESH ETC.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(IA No.88850/2019-CONDONATION OF DELAY IN FILING)

Date : 27-08-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Shankar Divate, AOR

For Respondent(s)

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

Delay condoned.

We see no reason to interfere in the matter. The special leave petitions are dismissed.

However, considering the fact that the petitioners have suffered actual imprisonment for more than 14 years, they shall be entitled to make an appropriate application seeking remission in the sentence in accordance with law. If such an application is made, the Jail Authorities shall forward it to the concerned authorities as early as possible which may thereafter take decision

in respect of such application purely in accordance with law.

It appears from the record that the appeal challenging the conviction and sentence of the petitioners was rejected by the High Court sometime in the year 2012 but the papers to file appropriate petition for special leave to appeal were forwarded by the jail authorities only in the year 2018.

Let the concerned jail authorities explain the delay by way of an affidavit within four weeks from today.

The matter shall be listed on 26.9.2019 to consider the response given by the jail authorities.

Pending applications, if any, shall also stand disposed of.

(INDU MARWAH)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER