

ITEM NO.9 Court 9 (Video Conferencing)

SECTION X

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). 338/2020

ASHOK

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(IA No. 61293/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 61296/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 61294/2021 - EXEMPTION FROM FILING O.T.)

Date : 14-07-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Talha Abdul Rahman, AOR
Mr. Udit Atul Kokanthankar, Adv.
Modh. Shaz Khan, Adv.
Mr. Harsh Vardhan Kediya, Adv.

For Respondent(s) Mr. Vinod Diwakar, AAG
Mr. Sarvesh Singh Baghel, AOR
Mr. Shantanu Singh, Adv.
Mr. B.N. Dubey, Adv.

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

The order dated 20.04.2021 rejecting the petitioner's prayer for pre-mature release is set aside and the petitioner is directed to be released forthwith from custody, unless wanted in any other case.

The Writ Petition stands disposed of in terms of Signed Order.

Pending application(s) shall stand disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
COURT MASTER (NSH)

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL) NO. 338 OF 2020

ASHOK

PETITIONER(S)

VERSUS

STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

O R D E R

The petitioner was one of the four accused convicted under Section 364-A/34 IPC, Sections 2/3 of the U.P. Gangster Act and Section 25 of the Arms Act. He is before this Court seeking pre-mature release on the ground that as on 10.02.2021, he has undergone actual sentence of 17 years 2 months and 4 days without remission and 22 years 6 months 16 days with remission.

It is an admitted fact that the three other co-accused have been given the benefit of pre-mature release.

In the circumstances, the order dated 20.04.2021 rejecting his prayer for pre-mature release is set aside and the petitioner is directed to be released forthwith from custody, unless wanted in any other case.

The Writ Petition stands disposed of.

.....J.
(NAVIN SINHA)

.....J.
(R. SUBHASH REDDY)

NEW DELHI;
14TH JULY, 2021.