

ITEM NO.38

COURT NO.13

SECTION II-C

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). 22618/2017

(Arising out of impugned final judgment and order dated 26-08-2014 in CRLA No. 800/2013 passed by the High Court of Delhi at New Delhi)

NEERAJ @ NIKHIL @ RAHUL

Petitioner(s)

VERSUS

THE STATE (NCT OF DELHI)

Respondent(s)

(IA No.70842/2017-CONDONATION OF DELAY IN FILING )

Date : 31-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA  
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s)

Mr. Santosh Mishra, AOR

For Respondent(s)

Ms. Pinky Anand, ASG  
Mr. S.S. Ray, Adv.  
Mr. Shamik S., Adv.  
Ms. Kirti Dua, Adv.  
Ms. Akshita Goyal, Adv.  
Mr. B.V., Balaram Das, Adv.

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

Delay condoned.

Leave granted.

The appeal is allowed in terms of signed order.

(NEETA SAPRA)  
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)  
COURT MASTER (NSH)

(Signed order is placed on the file )

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 207 OF 2020

(Arising out of SLP (CRL.) No. 888 of 2020 Diary No. 22618 of 2017)

NEERAJ @ NIKHIL @ RAHUL

APPELLANT(S)

VERSUS

THE STATE (NCT OF DELHI)

RESPONDENT(S)

O R D E R

Delay condoned.

Leave granted.

We have heard learned counsel for the parties.

The appellant assails his conviction under Sections 302, 392 364 read with 34 of the Indian Penal Code. Suffice to observe that on common allegations co-accused Narender Singh has been acquitted by us in Criminal Appeal No. 293 of 2016.

On the submissions made on behalf of the parties, we find that the appellant is not differently situated from the co-accused Narender Singh acquitted by us.

The present appeal is allowed for the like reason on the aforesaid order. The conviction of the appellant is set aside. We direct that the appellant be released forthwith unless he wanted in any other case.

.....J.  
[NAVIN SINHA]

.....J.  
[KRISHNA MURARI]

NEW DELHI;  
JANUARY 31, 2020