

ITEM NO.29 Court 2 (Video Conferencing) 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 (Cr1.) No(s). 7570/2021

(Arising out of impugned final judgment and order dated 27-08-2021 in CRMB No. 233959/2010 passed by the High Court Of Judicature At Allahabad)

NASREEN @ NASEEM

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.127666/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.127667/2021-EXEMPTION FROM FILING O.T.)

Date : 08-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. M.Z. Chaudhary, Adv.
 Mr. Aftab Ali Khan Adv. (AOR)
 Mr. Ali Safeer Farooqi . Adv
 Mr. Syed Imtiyaz Ali. Adv.
 Mr Arvind Kumar Kanva. Adv.
 Ms. Sakeena Quidwai Adv.

For Respondent(s)

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

While rejecting application preferred under Section 389 of the Code of Criminal Procedure ("the Code" for short) seeking enlargement on bail in a pending appeal, the High Court in the instant case observed as under:

"10. The relief of bail would continue to be discretionary relief to be granted in the facts of

each case. Here, as noted above, the conduct of the applicant - Narseen alias Naseem does not warrant exercise of any discretion as otherwise the said applicant is only seeking adjournment of hearing in the appeal. The applicant- Narseen alias Naseem has never been interested in the disposal of the appeal for a long period of last four years."

We see no reason to entertain this SLP challenging the rejection of application preferred under Section 389 of the Code.

However, considering the length of custody undergone by the petitioner, we request the High Court to dispose of the pending appeal(s) as early as possible and preferably within six months from today.

This order has been passed on the assurance given by the learned counsel for the petitioner that no adjournment will be sought on behalf of the petitioner and that the counsel will go ahead with the submissions on the day(s) fixed for the disposal of the appeal.

With these observations, the SLP stands disposed of.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER