

Revised
 ITEM NO.8 Court 5 (Video Conferencing) SECTION II

S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5917/2020

(Arising out of impugned final judgment and order dated 10-11-2020 in A482 No. 16472/2020 passed by the High Court Of Judicature At Allahabad)

NIRANJAN & ORS. Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR. Respondent(s)

(FOR ADMISSION and I.R. and IA No.120955/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.120959/2020-EXEMPTION FROM FILING O.T.

IA No. 120955/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 120959/2020 - EXEMPTION FROM FILING O.T.)

Date : 10-12-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
 HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s)

Dr. Rajeev Sharma, AOR
 Mr. Bhanwar Pal Singh Jadon, Adv.
 Mr. Raghuvir Sharma, Adv.
 Mr. Vipin Kumar Sharma, Adv.
 Mr. Dharmendra Sharma, Adv.
 Ms. Meena Hasan, Adv.
 Mr. Haji Salimuddin, Adv.
 Mr. Girdhari Chauhan, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioners.

We are not inclined to interfere with the impugned

judgment and order passed by the High Court rejecting the prayer for quashing of criminal proceedings instituted against the petitioners for the reasons recorded in the impugned judgment and order.

However, we make it clear that rejection of this Special Leave Petition will not come in the way of the petitioners to pursue all defences/contentions that may be available and can be raised at the appropriate stage.

We grant two weeks' time to the petitioners to surrender before the concerned Court and apply for regular bail in connection with S.T. No. 887 of 2020 arising out of Case Crime No. 339 of 2020 registered at PS Chhjlait, District Moradabad, Uttar Pradesh, if so advised. Till then, no coercive steps be taken against the petitioners but the petitioners shall make themselves available before the Investigating Officer as and when required in connection with the investigation of the subject case. If 48 hours' advance notice is given to the local public prosecutor before moving the bail application, the concerned Court may decide the bail application preferably on the same day on its own merits and in accordance with law uninfluenced by any observation in the impugned judgment and order.

All aspects in that behalf are left open, to be decided on its own merits and in accordance with law.

The Special Leave Petition is dismissed accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)