

ITEM NO.14 Court 15 (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 (CrI.) No(s).8453/2021

(Arising out of impugned final judgment and order dated 15-09-2021 in CRLR No.165/2018 passed by the High Court Of Judicature At Allahabad)

IRSHAD

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No.142290/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.142289/2021-EXEMPTION FROM FILING O.T.)

Date : 18-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. V.K.Shukla, Sr.Adv.  
Ms. Parul Shukla, AOR

For Respondent(s) Mr. Alok Tripathi, AOR

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

Having heard the learned senior counsel for the petitioner and having perused the material placed on record, we are not inclined to consider interference in the order passed by the High Court, dismissing the revision petition against the summoning order passed under Section 319 Cr.P.C. in a matter involving offences under Section 302, 120B IPC. Therefore, this petition is required to be dismissed.

Learned senior counsel for the petitioner has, in the last, made a prayer for relaxation for the petitioner that he may be granted four weeks' time to surrender and apply for bail. In the totality of circumstances, we are inclined to grant this limited relaxation but while providing that, if the petitioner fails to surrender within four weeks from today, it shall be permissible for the trial court to take all the necessary/coercive steps to ensure his presence.

It goes without saying that upon his appearance and applying for bail, the same shall be considered by the trial court in accordance with law, without being influenced by any observations made in the order passed by the High Court or in this order.

The petition stands dismissed subject to the relaxation and observations foregoing. All pending applications stand disposed of.

(B.Parvathi)  
Court Master

(Sunil Kumar Rajvanshi)  
Court Master