

ITEM NO.7

COURT NO.1

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

Crl.M.P. No.81717/2017 in M.A. No.723/2017

In

S.L.P. (Crl.) No.6020/2016

AVTAR SINGH

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With appln.(s) for appropriate orders/directions)

Date : 30-08-2017 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AMITAVA ROY
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. Manan Kumar Mishra, Adv.
Mr. Sai Girdhar Dwivedi, Adv.
Ms. Anjul Dwivedi, Adv.
Mr. Anjani Kumar Mishra, AOR

For Respondent(s) Mr. Samir Ali Khan, Adv.
Mr. Abhishek Chaudhary, AOR

Ms. Udit Singh, AOR

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

Crl.M.P. No.81717 of 2017

Heard Mr. Manan Kumar Mishra, learned senior counsel along with Ms. Anjul Dwivedi, learned counsel for the petitioner and Mr. Samir Ali Khan, learned counsel for the respondent-State.

This Court while disposing of S.L.P.(Crl.) No.6020 of 2016, had passed the following order:-

"Having heard learned counsel for the parties, it is directed that the parties shall put forth their grievance before the High Court and the High Court shall dispose of the writ petition in accordance with law within a period of four months hence. The petitioners are at liberty to get themselves impleaded.

It will be open to the aggrieved persons, if so advised, to move appropriate forum for grant of bail."

The present criminal miscellaneous petition has been filed by the petitioner for directions as the writ petition preferred by the informant before the High Court has not been disposed of and, in the meantime, certain steps have been taken by the State.

In our considered opinion, the petitioner can approach the High Court for redressal of his grievances by filing an application, inasmuch as he is a party before the High Court. If such an application is filed within a week hence, the High Court is requested to deal with it within a week therefrom. If the petitioner is so advised, he may file an independent writ petition challenging the subsequent events/orders before the High Court. Needless to say, the petitioner can agitate his grievances in the said writ petition.

With the aforesaid observation and request, the criminal miscellaneous petition stands disposed of.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar