

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.386 OF 2020  
(Arising out of S.L.P.(Criminal) No.8347 of 2019)

HANIF & ANR. ... APPELLANT(S)

VS.

STATE OF U.P. & ANR. ... RESPONDENT(S)

WITH

CRIMINAL APPEAL NO.387 OF 2020  
(Arising out of S.L.P.(Criminal) No.9757 of 2019)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

There appears to be an element of contradiction in the two orders as both relate to the same incident. In one of the cases the counsel did not appear. In the other case there appears to be a factual mistake.

We are of the view that in the fitness of things that both the orders be set aside and the matter be remitted back to the High Court for fresh consideration in accordance with law.

The appeals are accordingly allowed leaving the parties to bear their own costs.

.....J.  
[SANJAY KISHAN KAUL]

.....J.  
[K.M. JOSEPH]

New Delhi;  
March 05, 2020.

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 (Cr1.) No(s). 8347/2019

(Arising out of impugned final judgment and order dated 07-08-2019 in CRMBCA No. 25549/2017 passed by the High Court of Judicature at Allahabad)

HANIF &amp; ANR.

Petitioner(s)

VERSUS

STATE OF U.P. &amp; ANR.

Respondent(s)

WITH SLP(Cr1) No. 9757/2019

Date : 05-03-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s)

Mr. Mohd.Fuzail Khan,Adv.  
Mr. Prakash Kumar Singh,Adv.  
Ms. Shefali Jain,Adv.  
Mr. Umair Ahmad Siddiqui,Adv.  
Mr. Niraj Gupta, AORMr. Anupam Mishra, AOR  
Mr. Harikumar V.,Adv.

For Respondent(s)

Mr. Ajay Vikram Singh, AOR  
Mr. Shantanu Krishna,Adv.  
Ms. Priyanka Singh,Adv.  
Mr. Chandra Shekhar,Adv.Mr. Mohd.Fuzail Khan,Adv.  
Mr. Prakash Kumar Singh,Adv.  
Ms. Shefali Jain,Adv.  
Mr. Umair Ahmad Siddiqui,Adv.  
Mr. Ashutosh Kumar Sharma, AORMr. Anupam Mishra, AOR  
Mr. Harikumar V.,Adv.

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

Leave granted.

The appeals are allowed in terms of the signed order.

Pending application, if any, shall also stand disposed of.

(ANITA MALHOTRA)  
COURT MASTER

(ANITA RANI AHUJA)  
COURT MASTER

(Signed order is placed on the file.)