

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). 8098/2017

(Arising out of impugned final judgment and order dated 06-09-2017 in CRLA No. 3940/2017 passed by the High Court of Judicature at Allahabad)

UMESH SINGH

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH &amp; ORS.

Respondent(s)

(FOR ADMISSION and IA No.107806/2017-EXEMPTION FROM FILING O.T. and IA No.131275/2017-EXEMPTION FROM FILING O.T. and IA No.137842/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 20-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Anilendra Pandey, AOR

For Respondent(s) Ms. Aishwarya Bhati, AAG  
Mr. Pradeep Misra, AOR  
Mr. Tanmay Aggrawal, Adv.Mr. Jaimon Andrews, Adv.  
Mr. Rishi Raghav, Adv.  
Mr. Naresh Kumar, AORUPON hearing the counsel the Court made the following  
O R D E R

Mr. O.P. Verma, Formar Secretary (Home) of the Government of Uttar Pradesh is present before this Court and he has filed an affidavit. It is stated in the affidavit that he only acted on the recommendations of the Superintendent of Police & Director General of Police, Uttar Pradesh. It is also stated in the affidavit that he was competent only to impose a minor penalty and of the available minor penalties the maximum has been imposed, namely, the censure.

It is stated in the affidavit that once an incumbent is visited with the penalty of censure he/she is debarred from participating in the promotion process for a period of five years. It is also stated that he/she is also debarred from grant of time bound scales for the said period of five years.

It is not clear from the affidavit as to whether the officer could have taken a different view from that of the Director General of Police and recommended for major penalty.

Be that as it may, in view of the detailed affidavit filed by Mr. O.P. Verma, Formar Secretary (Home) of the Government of Uttar Pradesh, further proceedings against the said officer are dropped.

The petitioner is before this Court, aggrieved by the denial of bail.

We are informed that the trial is at the advance stage. Liberty is granted to the petitioner to move the Trial Court for bail after prosecution evidence is closed.

The special leave petition is, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR