

ITEM NO.38

COURT NO.6

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 (Crl.) No(s). 8152/2017

(Arising out of impugned final judgment and order dated 29-08-2017 in CRLMA No. 22262/2017 passed by the High Court Of Judicature At Allahabad)

NITIN JAISWAL

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH &amp; ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.108670/2017-EXEMPTION FROM FILING O.T.)

Date : 06-11-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Sidharth Luthra, Sr. Adv.  
Ms/Ms. Kartikeya, Adv.  
Ms. Supriya Juneja, Adv.  
Mr. Aditya Singla, Adv.  
Ms. Drishti Harpalani, Adv.  
Ms. Supriya Juneja, AOR

For Respondent(s) Mr. Basant R. Sr. Adv.  
Mr. Divyesh Pratap Singh, AOR  
Mr. Suraj Prakash Singh, Adv.  
Mr. Kunwar Aditya Singh, Adv.  
Ms. Shivangi Singh, Adv.

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

In the peculiar facts of this case, we are not inclined to entertain the present petition as the order of consolidation of two cases is substantially correct. However, we leave the question open as to whether the Additional Sessions Judge had the power to order consolidation of the cases under Section 408 of the Cr.P.C., even

when we find that the Additional Sessions Judge did not have the power to do so.

We are also conscious of the fact that insofar as the case filed by the petitioner is concerned, it has already reached the advanced stage of final arguments. In these circumstances, we would impress upon the Trial Court to have expeditious trial of the case which is filed by the respondent, possibly within one year.

The Special Leave Petition is disposed of.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)  
COURT MASTER

(MALA KUMARI SHARMA)  
COURT MASTER