

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). 8188/2017

(Arising out of impugned final judgment and order dated 20-09-2017 in CRLR No. 2898/2017 passed by the High Court of Judicature at Allahabad)

VIJAY KUMAR KUMRA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.109233/2017-EXEMPTION FROM FILING O.T. and IA No.113489/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

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

CORAM :

HON'BLE MR. JUSTICE R.K. AGRAWAL

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. Sidharth Luthra, Sr. Adv.
Mr. Ranjit B. Raut, Adv.
Ms. Surbhi Kapoor, Adv.
Mrs. Bina Gupta, AOR
Mr. Abhay A. Jena, Adv.

For Respondent(s)

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

Learned senior counsel appearing for the petitioner submitted that although the issue that opportunity of hearing was not given before passing the impugned order under Section 319 of the Code of Criminal Procedure, 1973 was pressed before the High Court but the same has not been taken into consideration while passing the impugned order.

We find that this plea has not been dealt with by the High Court in the impugned order.

It will be open for the petitioner to approach the High Court, if so advised, by filing review application.

With the aforesaid observation, the special leave petition stands disposed of.

We further make it clear that if aggrieved again by the order of the High Court, it will be open for the petitioner to approach this court.

Pending applications stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(CHANDER BALA)
COURT MASTER