

(CORRECTED)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 8 OF 2020
(Arising out of SLP (CrI.) No. 9759 of 2018)

MOHD. KAMIL QURESHI

Appellant(s)

VERSUS

HAZI ANEES SHEKH & ORS.

Respondent(s)

O R D E R

Leave granted.

Having heard learned counsel for the parties and having gone through the order of the High Court of Judicature at Allahabad dated 19.12.2017 in which FIR dated 17.11.2017 was not quashed, and given the fact that a chargesheet dated 17.04.2018 has been filed, we are of the view that the interim order dated 05.07.2018 passed by the High Court is not sustainable. In this view of the matter, the order is set aside.

Needless to add, it will be open for the respondents to apply for discharge, if available, at the appropriate stage.

The appeal stands disposed of.

....., J.
[ROHINTON FALI NARIMAN]

....., J.
[S. RAVINDRA BHAT]

New Delhi;
January 06, 2020.

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MOHD. KAMIL QURESHI

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O R D E R

Leave granted.

Having heard learned counsel for the parties and having gone through the order of the High Court of Judicature at Allahabad dated 19.12.2017 in which FIR dated 17.11.2017 was not quashed, and given the fact that a chargesheet dated 17.04.2018 has been filed, we are of the view that the interim order dated 05.07.2018 passed by the High Court is not sustainable. In this view of the matter, the order is set aside.

Needless to add, it will be open for the appellant to apply for discharge, if available, at the appropriate stage.

The appeal stands disposed of.

....., J.
[ROHINTON FALI NARIMAN]

....., J.
[S. RAVINDRA BHAT]

New Delhi;
January 06, 2020.

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. 9759/2018
(Arising out of impugned final judgment and order dated 05-07-2018
in AN No. 22533/2018 passed by the High Court of Judicature at
Allahabad)

MOHD. KAMIL QURESHI

Petitioner(s)

VERSUS

HAZI ANEES SHEKH & ORS.

Respondent(s)

(With IA No. 139295/2019 - CLARIFICATION/DIRECTION, IA No. 139297/2019 - EXEMPTION FROM FILING O.T., IA No. 139203/2019 - EXEMPTION FROM FILING O.T., IA No. 132333/2019 - EXEMPTION FROM FILING O.T., IA No. 102160/2019 - EXEMPTION FROM FILING O.T., IA No. 155571/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 102157/2019 - VACATING STAY)

Date : 06-01-2020 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Sidharth Dave, Sr. Adv.
Mr. M. R. Shamshad, AOR
Mr. Aditya Samaddar, Adv.
Mr. Arijit Sarkar, Adv.

For Respondent(s) Ms. Bhuvneshwari Pathak, AOR

Mr. Rahul Kaushik, AOR

Mr. Vishnu Shankar Jain, AOR

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

Leave granted.

The appeal stands disposed of in terms of the signed
order.

Pending applications stand disposed of.

(NIDHI AHUJA)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER

SLP (Cr1.) No. 9759/2018

[Signed order is placed on the file.]