

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1681 OF 2017
(@ SPECIAL LEAVE PETITION (CRL.) NO.1179 OF 2015)

SHAKEEL AHMAD

...APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH

...RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned counsel for the parties and perused the record.

In absence of clear evidence about sharing of common intention by the appellant with the main accused, we are of the view that the appellant is entitled to benefit of doubt. His conviction and sentence are set aside and he is acquitted.

The appellant is in custody. He may be released forthwith from the custody, if not required in any other case.

The appeal is, accordingly, allowed.

.....J.
[ADARSH KUMAR GOEL]

NEW DELHI
19th SEPTEMBER, 2017

.....J.
[UDAY UMESH LALIT]

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). 1179/2015
(Arising out of impugned final judgment and order dated 24-09-2014
in CRA No. 5054/2005 passed by the High Court Of Judicature At
Allahabad)

SHAKEEL AHMAD

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

WITH

SLP(Crl) No. 4980/2016 (II)

Date : 19-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Ratnakar Dash, Sr. Adv.
Mr. Abhishth Kumar, Adv.
Mr. Shibashish Misra, AOR

For Respondent(s) Ms. Aishwarya Bhati, AAG
Ms. Alka Sinha, Adv.
Mr. Anuvrat Sharma, AOR

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

SLP(Crl.) No. 1179/2015

Leave granted.

The appeal is allowed in terms of the signed
order.

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

Contd....2/-

SLP(Crl.)NO. 4980 of 2016

Heard learned counsel for the parties.

We do not find any ground to interfere with the impugned order.

The special leave petition is, accordingly, dismissed.

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

(MADHU BALA)
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

(Signed order in SLP(Crl.)No. 1179 of 2015 is placed on the file)