

ITEM NO.22

COURT NO.6

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.43855/2019

(Arising out of impugned final judgment and order dated 27-06-2019 in CRA No.46/1995 passed by the High Court Of M.P. Principal Seat At Jabalpur)

AGHNU & ANR.

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

(FOR ADMISSION and I.R.; IA No.190302/2019 - FOR CONDONATION OF DELAY IN FILING; and, IA No.190303/2019 - FOR EXEMPTION FROM FILING O.T.)

Date : 17-12-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Sumeer Sodhi, AOR
Ms. Simran Agarwal, Adv.
Mr. Hussain Ali, Adv.
Mr. Ashish Rai, Adv.

For Respondent(s)

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

Learned counsel for the petitioners submits that going by the evidence of PW2 Dr. Shikha Saxena, statement Exhibit-P4 was not written by the said witness. On the other hand, PW7 in his testimony stated that Exhibit-P4 was a statement recorded by Dr. Shikha Saxena. It is, therefore, submitted that the entire case which is based on dying declaration Exhibit-P4, does not inspire confidence.

Delay condoned.

Issue notice, returnable on 10.02.2020.

Liberty is granted to serve the learned Standing Counsel for the State.

**(MUKESH NASA)
COURT MASTER**

**(SUMAN JAIN)
BRANCH OFFICER**