



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

Criminal Appeal No(s). 1547-1549/2018

SAMI ULLAH & ORS.

Appellant(s)

VERSUS

ZULFIKAR NASIR & ORS.

Respondent(s)

([ONLY IA NOS. 243620, 243603, 266109 AND 273357 OF 2024 IN CRL.A. NOS. 1636-38/2018 AND IA NOS. 1233, 1389, 1467 AND 1482 OF 2024 IN CRL.A. NOS. 1547-1549/2018 ARE LISTED UNDER THIS ITEM]

(IA No. 1467/2024 - GRANT OF BAIL

IA No. 1389/2024 - GRANT OF BAIL

IA No. 1233/2024 - GRANT OF BAIL

IA No. 1482/2024 - GRANT OF BAIL)

WITH

Crl.A. No. 1636-1638/2018 (II-C)

(IA No. 273357/2024 - GRANT OF BAIL

IA No. 266109/2024 - INTERIM BAIL

IA No. 243620/2024 - INTERIM BAIL

IA No. 243603/2024 - INTERIM BAIL)

Date : 06-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s) Mr. Amit Anand Tiwari, Sr. Adv.

Mr. Ashutosh Jha, AOR

Ms. Tanvi Anand, Adv.

Mr. Oleander D Singh, Adv.

Mr. Shivam Tomar, Adv.

Mr. Prem Malhotra, AOR

Mr. Rishi Malhotra, Sr. Adv.

Mr. Shivaansh Maini, Adv.

Ms. Ansuiya, Adv.

For Respondent(s) Dr. Vijendra Singh, AOR
Mr. Ashutosh Bhardwaj, Adv.
Ms. Apurva Singh, Adv.

Mr. Anil K. Chopra, AOR

Mr. Rajat Singh, AOR

Mr. Amit Sharma, AOR
Mr. Dipesh Sinha, Adv.
Ms. Pallavi Barua, Adv.
Ms. Aparna Singh, Adv.

Mr. Vikramjeet Banerjee, A.S.G.
Mrs. Ruchi Kohli, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Ms. Sansriti Pathak, Adv.
Mr. Anukalp Jain, Adv.
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Navanjay Mahapatra, Adv.

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

IA NOS. 1233, 1389, 1467 and 1482 of 2024 in CRL.A. NOS. 1547-1549/2018

These I.As. have been preferred by (Sami Ullah - applicant/appellant no.1), (Niranjan Lal - Applicant/appellant no.2), (Mahesh Prasad - Applicant/appellant no.3) and (Jaipal Singh - applicant/appellant no.4). The applicants/appellants were acquitted by the Trial Court and the High Court has overturned the order of acquittal and convicted them for the offences punishable under Sections 302, 364, 201 read with Section 120B of the Indian Penal Code, 1860. The applicants have undergone incarceration for more than 6 years. The incident is of the year 1987. Hence, they are entitled to benefit of suspension of sentence and bail pending the final disposal of the appeal.

Accordingly, the applicants (Sami Ullah - appellant no.1), (Niranjan Lal - appellant no.2), (Mahesh Prasad - appellant no.3) and (Jaipal Singh - appellant no.4) shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellants on bail on appropriate

terms and conditions, till the final disposal of this Appeal.

The I.As. are accordingly disposed of.

IA No. 266109/2024, IA No. 243620/2024 and I.A.No. 243603/2024 in Crl.A. No. 1636-1638/2018

Applications are disposed of.

IA No. 273357/2024 in Criminal Appeal No.1636-1638 of 2018

This I.A. has been preferred by (Suresh Chand Sharma - Appellant no.1), (Ram Dhyan - Appellant No.2) (Hambir Singh - Appellant no.3), (Kunwar Pal Singh - Appellant no.4), (Budha Singh - Appellant no.5) and (Mohkam Sigh - Appellant no.6)

The applicants/appellants were acquitted by the Trial Court and the High Court has overturned the order of acquittal and convicted them for the offences punishable under Sections 302, 364, 201 read with Section 120B of the Indian Penal Code, 1860. The applicants have undergone incarceration for more than 6 years. The incident is of the year 1987. Hence, they are entitled to benefit of suspension of sentence and bail pending the final disposal of the appeal.

Accordingly, the applicants/appellants shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the applicant/appellants on bail on appropriate terms and conditions, till the final disposal of this Appeal.

The I.A. is accordingly disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)

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IA No. 273357/2024 - GRANT OF BAIL

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Mr. Shivam Tomar, Adv.

Mr. Prem Malhotra, AOR
Mr. Rishi Malhotra, Sr. Adv.
Mr. Shivaansh Maini, Adv.
Ms. Ansuiya, Adv.

For Respondent(s) Dr. Vijendra Singh, AOR
Mr. Ashutosh Bhardwaj, Adv.
Ms. Apurva Singh, Adv.

Mr. Anil K. Chopra, AOR

Mr. Rajat Singh, AOR

Mr. Amit Sharma, AOR

Mr. Dipesha Sinha, Adv.

Ms. Pallavi Barua, Adv.

Ms. Aparna Singh, Adv.

Mr. Vikramjeet Banerjee, A.S.G.

Mrs. Ruchi Kohli, Sr. Adv.

Mr. Mukesh Kumar Maroria, AOR

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Applications are disposed of.

IA No. 273357/2024 in Criminal Appeal No.1636-1638 of 2018

The applicants/appellants were acquitted by the Trial Court and the High Court has overturned the order of acquittal and convicted them for the offences punishable under Sections 302, 364, 201 read with Section 120B of the Indian Penal Code, 1860. The applicants have undergone incarceration for more than 6 years. The incident is of the year 1987. Hence, they are entitled to benefit of suspension of sentence and bail pending the final disposal of the appeal.

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(KAVITA PAHUJA)
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