

ITEM NO.20

VIRTUAL COURT NO.2

SECTION II

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.7613/2020

(Arising out of impugned final judgment and order dated 24-09-2019 in A482 No.35123/2019 passed by the High Court Of Judicature At Allahabad)

BRAJESH SINGH & ORS.

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No.46190/2020 - FOR CONDONATION OF DELAY IN FILING; IA No.46193/2020 - FOR EXEMPTION FROM FILING O.T.; and, IA No.46192/2020 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 05-06-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Gaurav Agrawal, Adv.
Mr. Abhishek Sharma, AOR

For Respondent(s)

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

Delay condoned.

While rejecting the application preferred under Section 482 of the Code of Criminal Procedure, 1973, the High Court had passed the following directions:

"5. However, considering the nature of the allegations made in the F.I.R. and submissions made by learned counsel for the applicants, it is directed that in case the applicants appear before the court concerned within 30 days from today and apply for bail, the same shall be heard and disposed of expeditiously, strictly in accordance with law after hearing the public prosecutor.

6. For a period of 30 days, no coercive measure shall be taken against the applicants in the aforesaid case."

Though the order was passed on 24.09.2019, the petitioners did not avail of the benefit granted to them and in fact, the present special leave petition has been filed with delay of 64 days.

Considering the facts and circumstances on record, we do not see any reason to interfere in the matter.

However, we grant fifteen days' further time to the petitioners to appear before the concerned Court. In case the petitioners do not appear within the time stipulated, it shall be open to the concerned authorities to take appropriate measures including coercive methods.

A copy of this order shall be intimated to the concerned Police Station as well as to the jurisdictional Chief Judicial Magistrate.

The special leave petition is, accordingly, dismissed.

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

(MUKESH NASA)
COURT MASTER

(PRADEEP KUMAR)
BRANCH OFFICER