

ITEM NO.41

COURT NO.4

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

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 3288/2014
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 22/03/2013
IN CRLA NO. 786/1979 PASSED BY THE HIGH COURT OF JUDICATURE AT
ALLAHABAD, LUCKNOW BENCH)

STATE OF U.P.

PETITIONER(S)

VERSUS

CHANDRA SEN & ANR.

RESPONDENT(S)

(WITH APPLN. (S) FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS AND
STAY AND OFFICE REPORT)

Date : 07/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Mr. Ravi Prakash Mehrotra, Adv.
Mr. Vibhu Tiwari, Adv.

For Respondent(s)

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

Permission to file additional documents is granted.

Leave granted.

The appeal is allowed in terms of the signed order.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.658 OF 2017
[Arising out of Special Leave Petition
(Criminal) No.3288/2014]

STATE OF U.P. . . . APPELLANT

VERSUS

CHANDRA SEN & ANR. . . . RESPONDENTS

ORDER

1. Leave granted.
2. In spite of due service of notice none appears for the respondents. We have heard the learned counsel for the appellant - State.
3. We have read and considered the order impugned in the present appeal. On due consideration, we take the view that the High Court was not at all justified in

passing the impugned directions which are of a very generalized and sweeping nature having large scale impact and consequences on the administration. That apart, we also do not think the High Court was justified in issuing the said directions while hearing a criminal appeal filed by an accused against an order of conviction.

4. Consequently and in the light of the above, we allow this appeal and set aside the order of the High Court.

.....,J.
(RANJAN GOGOI)

.....,J.
(NAVIN SINHA)

NEW DELHI
APRIL 07, 2017