

ITEM NO.1002

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

REVIEW PETITION (CRIMINAL) Diary No.917/2021

(Arising out of impugned final judgment and order dated 16-02-2018
in SLP(Crl) No.1409/2018 passed by the Supreme Court Of India)

SUKKAD

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(IA No.5144/2021 - FOR CONDONATION OF DELAY IN FILING REVIEW
PETITION)

Date : 23-02-2021 This matter was circulated today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE ASHOK BHUSHAN

By Circulation

UPON perusing papers the Court made the following
O R D E R

There is delay of 1030 days in preferring the review petition.
Though the explanation offered in the application seeking
condonation of delay is not satisfactory, we have considered the
merits of the matter.

The petitioner and one Surajmal were convicted by the trial
court under Sections 323/34, 325/34, 302/34 and 452 of the Indian
Penal Code with maximum sentence of life imprisonment under Section
302/34 IPC. In the appeal therefrom the conviction was altered to
one under Section 304 Part II, IPC and they were sentenced to
suffer 10 years of rigorous imprisonment while maintaining
conviction and sentence in respect of other offences.

It is principally stated in the review petition that the petitioner is aged about 92 years, suffering from age related diseases and that he has completed more than four years and four months of actual sentence. In the circumstances, let notice be issued to the respondent-State returnable on 05.04.2021.

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

Let this matter be listed in open Court.

(MUKESH NASA)
COURT MASTER

(VIRENDER SINGH)
BRANCH OFFICER