

ITEM NO.16

Court 6 (Video Conferencing)

SECTION II

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.9620/2020

(Arising out of impugned final judgment and order dated 25-02-2020 in CRMA No. 6083/2020 passed by the High Court of Judicature at Allahabad)

AMINUDDIN

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(With appln.(s) for I.R. and IA No.97749/2020-EXEMPTION FROM FILING O.T. and IA No.97748/2020-PERMISSION TO FILE PETITION SLP)

Date : 18-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Anilendra Pandey, AOR
Mr. Wahid Hussain, Adv.

For Respondent(s)

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

- 1 Permission to file the Special Leave Petition is granted.
- 2 Mr Anilendra Pandey, learned counsel appearing on behalf of the petitioner submits that in the first information report which was lodged on 10 July 2019 at 2108 hours, the incident having taken place at 1715 hours, the names of seven accused were specifically mentioned, including the second

respondent. Learned counsel states that the only reasons which are contained in the impugned order of the High Court granting bail is the “larger mandate of Article 21”. It has been submitted that the murder took place in day light; that there were multiple accused and the deceased suffered stab wounds. Hence, it has been urged that the grant of bail in a case where an offence under Section 302 is implicated, was manifestly in error.

- 3 Issue notice, returnable in six weeks.
- 4 Liberty to serve the Standing Counsel for the State of Uttar Pradesh, in addition.
- 5 The petitioner shall place on the record, copies of the charge-sheet and the post-mortem report.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Court Master