

Court No. - 46

Case :- CRIMINAL APPEAL No. - 1015 of 1989

Appellant :- Aditya Kumar & Others

Respondent :- State Of U.P.

Counsel for Appellant :- Dileep Kumar

Counsel for Respondent :- A.G.A.

Hon'ble Naheed Ara Moonis,J.

Hon'ble Krishna Singh,J.

Sri Vinay Kumar Mishra holding brief of Sri Dileep Kumar who is appearing on behalf of the appellants seeking adjournment of the case.

On the last occasion also learned counsel for the appellants was not present in the Court even in the revised call and the case was adjourned due to the resolution of the Bar that no adverse order be passed in the absence of learned counsel on account of incomplete upgradation of CIS system.

Present appeal is pending since 1989 and it cannot be allowed to swing years together on the dint of the order dated 27.4.1989.

Let bailable warrants be issued against the accused appellants who shall surrender before the court below within four weeks and, in case, they apply for bail, they shall be released on bail on furnishing a personal bond of Rs. 20,000/- and two reliable sureties each in the like amount to the satisfaction of the court concerned with an undertaking that they shall appear before the Court on the next date fixed i.e. 09.05.2018.

The Chief Judicial Magistrate is directed to ensure the presence of the accused appellants by the next date fixed and, in case, they are not surviving, the Chief Judicial Magistrate shall send a report in this regard after conducting proper enquiry as per the circular of this Court.

Let the case be listed on 09.05.2018 before the appropriate Bench.

Office is directed to communicate this order to the Chief Judicial Magistrate concerned within a week for ensuring compliance of the same.

Order Date :- 12.3.2018

Shekhar