

Court No. - 43

Case :- CRIMINAL APPEAL No. - 1106 of 1990

Appellant :- Netrapal And Others

Respondent :- State

Counsel for Appellant :- N.K. Sharma, Devendra Swaroop, Dharmendra Singhal

Counsel for Respondent :- A.G.A.

Hon'ble Pradeep Kumar Singh Baghel, J.

Hon'ble Harsh Kumar, J.

The appeal was admitted on 22nd May, 1990 and the appellants were released on bail. The order sheet reveals that the office of this Court has not summoned the record from the lower court.

In Criminal Appeal No. 2184 of 1984 (Sant Ram & Another vs. State of U.P.), on similar facts, this Court has issued the following directions:-

"Having due regard to the facts of large number of the cases which are listed before this Court, we issue following directions:

(i) Registrar General of this Court shall within ten days issue a direction upon the concerned official of this Court to send the requisition for summoning the records of all the admitted criminal appeals upto the year 2000 within four weeks.

(ii) A circular be issued to all the concerned Sessions Judge/Chief Judicial Magistrates to send the records of the aforesaid admitted criminal appeals pursuant to the requisition sent by this Court within two weeks."

In this case also, we order accordingly.

A statement has been made at the bar that learned counsel for the appellants has received the information that appellant no. 1- Netrapal and appellant no. 4- Chob Singh have died.

Let a report be called for from the Chief Judicial Magistrate, Etah in respect of the said fact expeditiously, preferably within four weeks. Learned Chief Judicial Magistrate may also verify whether rest of the appellants i.e. appellant no. 2- Ram Singh, appellant no. 3- Kashi Ram and appellant no. 5- Pappu @ Chhatrapal are alive or not.

Office shall send a copy of this order by Fax to the District Judge/C.J.M., Etah for communication and compliance of this order within three days.

Order Date :- 5.3.2018

SKT/-