



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1463 of 2025

Amit

.....Appellant(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Appellant(s) : Manoj Kumar Dubey
Counsel for Respondent(s) : G.A.

Court No. - 80

HON'BLE RAJEEV MISRA, J.

1. Heard Mr. Manoj Kumar Dubey, the learned counsel for appellant, the learned A.G.A. for State and Mr. Ayub Ali Advocate, holding brief of Mr. Neeraj Srivastava, Advocate, who has put in appearance on behalf of first informant by filing his Vakalatnama in Court today, which is taken on record.
2. Under the impugned judgement and order, applicant/appellant has been sentenced for a maximum period of 20 years.
3. In view of above and also the provisions existing in Section 430 BNSS, no order can be passed by this Court on the application for suspension of sentence without first inviting objection/counter affidavit from the learned A.G.A. representing State-opposite party-1.
5. Accordingly, the learned A.G.A. representing State-opposite party-1 is directed to file his objections/counter affidavit to the application for suspension of sentence within four weeks. Alongwith the counter affidavit, the learned A.G.A. shall also bring on record the custody certificate of applicant/appellant. Applicant/appellant will have two weeks thereafter to file his rejoinder affidavit to the same.
6. Put up this appeal again for orders as fresh on 04.11.2025.
7. By the next date, the learned counsel for applicant/appellant shall file a list of dates, brief synopsis containing details of the prosecution evidence oral and documentary, material exhibits, defence evidence, points raised before court below and the findings returned by court below.

September 9, 2025

YK

(Rajeev Misra,J.)