

Court No. - 70

Case :- CRIMINAL APPEAL No. - 3224 of 2024

Appellant :- Ramgopal

Respondent :- State of U.P.

Counsel for Appellant :- Amrendra Nath Rai, Sanjay Singh

Counsel for Respondent :- G.A.

Hon'ble Rajeev Misra, J.

(Order on Memo of Appeal)

1. Heard Mr. Sanjay Singh, the learned counsel for appellant and the learned A.G.A. for State-opposite party-1.
2. Admit.
3. Vide order dated 29.07.2024 passed by this Court, the trial court record was summoned.
4. Office has submitted a report dated 21.10.2024 stating therein that the trial court record has been received.
5. Vide order dated 18.10.2024, the learned A.G.A. was directed to produce custody certificate of appellant. However, the learned A.G.A. has not filed an affidavit of compliance bringing on record the custody certificate of appellant.
6. Learned A.G.A. prays for and is granted a month's time to produce the custody certificate of appellant.

Ref.: Order on the application for suspension of sentence.

1. Heard Mr. Sanjay Singh, the learned counsel for applicant/appellant and the learned A.G.A. for State-opposite party-1.
2. Perused the record.
3. By means of the impugned judgement and order applicant/appellant has been convicted and sentenced for a maximum period of 10 years.

4. In view of above and also the provisions occurring in proviso to Section 389 (1) Cr.P.C., the learned A.G.A. representing State-opposite party-1 shall file his objection/counter affidavit to the application for suspension of sentence within a period of four weeks. Applicant/appellant will have two weeks thereafter to file his rejoinder affidavit.

5. Put up again for orders as fresh on 23.05.2025.

6. 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.

Order Date :- 11.4.2025

YK