

Court No. - 39

Case :- CRIMINAL APPEAL No. - 7673 of 2019

Appellant :- Amit Yadav And 2 Ors.

Respondent :- State of U.P.

Counsel for Appellant :- Manoj Kumar Srivastava, Deepak Upadhyay, Kamlesh Kumar Tripathi, Ram Bahadur

Counsel for Respondent :- G.A., Sushil Kumar Pal

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Vikram D. Chauhan, J.

1. Despite order dated 15.3.2024, no compliance has been made by the State.

2. At the same time, it does appear that the accused persons/appellants namely Amit Yadav, Sanjay Yadav s/o Vijay Pal Yadav, Sanjay Yadav s/o Shambu Yadav and Chhote Singh have all remained confined close to 15 years or more. As laid down in **Rashidul Jafar @ Chota Vs. State of Uttar Pradesh and Another, (2024) 6 SCC 561**, these persons do appear to have become entitled for consideration for premature release. It is in that regard that the last order was passed with the expectation that the State and the jail authorities would take necessary measures, in accordance with law.

3. Much time has passed. However, that action has remained to be taken.

4. The ordersheet does not indicate that the appeal was listed for hearing since our last order. However, learned counsel for informant would state that the case was listed on two occasions-in December 2023 and January 2024.

5. Accordingly, list again on 23.8.2024 on which date, learned AGA may produce copies of orders that may be passed in the

meantime in terms of the directions issued by the Supreme Court in **Rashidul Jafar @ Chota** (supra) with respect to the appellants- Amit Yadav, Sanjay Yadav s/o Vijay Pal Yadav, Sanjay Yadav s/o Shambu Yadav and Chhote Singh.

Order Date :- 2.8.2024

Faraz

(Vikram D. Chauhan,J.) (S. D. Singh, J.)