

Court No. - 64

Case :- CRIMINAL APPEAL No. - 7163 of 2024

Appellant :- Mohammad Azam Khan

Respondent :- State of U.P.

Counsel for Appellant :- Imran Ullah, Mohammad Khalid

Counsel for Respondent :- G.A.

Hon'ble Rajeev Misra, J.

(Order on the memo of appeal)

1. Heard Mr. Fail Ahmad, Advocate, holding brief of Mr. Imran Ullah, the learned counsel for appellant, Mr. P.C. Srivastava, the learned Additional Advocate General assisted by Mr. J.K. Upadhyay, the learned A.G.A.-Ist and Mr. Prashant Kumar, the learned A.G.A. for State.

2. Admit.

3. Summon the lower court record.

(Order on the application for suspension)

4. Heard Mr. Fail Ahmad, Advocate, holding brief of Mr. Imran Ullah, the learned counsel for appellant, Mr. P.C. Srivastava, the learned Additional Advocate General assisted by Mr. J.K. Upadhyay, the learned A.G.A.-Ist and Mr. Prashant Kumar, the learned A.G.A. for State.

5. Since, appellant has been convicted and sentenced for ten years imprisonment. Therefore, by virtue of provision contained in Section 389 Cr.P.C., the learned A.G.A. is directed to file his counter affidavit to the application for suspension of sentence/bail within a period of three weeks'. Applicant will have one week thereafter to file rejoinder affidavit.

6. List for orders on 02.09.2024 as fresh.

Order Date :- 26.7.2024

Imtiyaz