

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CRL.) NO(s). 2 OF 2011  
BEFORE THE REGISTRAR S.G. SHAH

ASAIYA @ ASHA RAM

Petitioner(s)

VERSUS

STATE OF U.P.& ANR  
(With appln(s) for bail and office report)  
WITH W.P(CRL.) NO. 10 of 2011  
(With office report)  
W.P(CRL.) NO. 8 of 2011  
(With office report)

Respondent(s)

Date: 21/07/2011 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Jetendra Singh, Adv.  
Mr. S.K. Sabharwal, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

In Writ Petition (Crl.) No.8/2011 respondents are yet unserved. They are none but the States through Ministry of Home and Superintendent of Central Jail of Sub Districts. Therefore, it would be very easy for the petitioner to confirm the service upon the unserved respondents through standing counsel or through Resident Commissioner of the concerned State in Delhi.

There is an order in favour of the petitioner since January, 2011 to release him on bail with reference to Sessions Case pending against him before such court. In that Item No.72 -2-

case, since trial court in such case has not stayed, the petitioner has to remain present before the trial court and thereby it would be very easy for him to confirm service upon the unserved respondents through Investigating Agency or even through Trial Court. Instead of taking such step to confirm service upon the unserved respondents, unfortunately learned counsel for the petitioner states that they have filed proof of service on 1.7.2011. On verification of such affidavit, it

is found that there is no proper proof of service i.e., there is no acknowledgment regarding receipt of notice by the other side. Learned counsel for the petitioner is directed to confirm dasti notice upon the unserved respondents through standing counsel or through Resident Commissioner or through the Investigating Agency may be through trial court, without fail before 11.8.2011.

If it is not done before 11.8.2011, list before the Hon'ble Judge in Chambers for non-prosecution.

The date is fixed as requested by the learned counsel for the petitioner.

(S.G. SHAH)  
REGISTRAR

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