

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CRIMINAL APPEAL NO(s). 1166 OF 2005

ABDUL WAHEED Appellant (s)

VERSUS

STATE OF U.P. Respondent(s)

(With office report)

Date: 13/02/2014 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Appellant(s)

Mr. Imtiaz Ahmed, Adv.
Mrs. Naghma Imtiaz, Adv.
M/S.Equity Lex Associates,Adv.

For Respondent(s)

Mr. Ratnakar Dash, Sr. Adv.
Mr. Adarsh Upadhyay,Adv.

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

We have heard this matter for some time.

It has been pointed out that the allegation against the appellant is that he had murdered Abbas. It has been pointed out to us that on the basis of the Medical Report, Abbas had in fact suffered one gun shot injury on his right upper arm.

It is contended by learned counsel for the appellant that the case does not attract an offence punishable under Section 302 of Indian Penal Code

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and the case would, at best, fall under Section 304 Part I or Part II of the I.P.C. It is further submitted that the appellant is over 90 years of age and he is also willing to pay compensation to the family of the deceased Abbas.

We had requested learned counsel for the State to inform us of the period that the appellant had undergone in custody. Learned counsel says that he has not been able to get the information as the records are quite old.

List it again after two weeks. The matter be not treated as part-heard.

