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W.P(Crl.)No. 34-37 OF 2004

ITEM No.28

Court No. 8

SECTION X
A/N MATTER

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. 34-37/2004

HEMRAJ & ORS.

Petitioner (s)

VERSUS

STATE OF U.P. & ORS.

Respondent (s)

(With Appln(s). for interim Relief/stay and office report)

Date : 07/05/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Ms. Begum Sahiba Kamal, Adv.
Mr. B S Jain, Adv.
Mr. Ajay Veer Singh, Adv.
Ms. Charuwali Khanna, Adv.
Mr. Mohd. Shahid Hussain, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.

For Respondent (s)Mr. Garvesh Kabra, Adv.
Mr. Ravi P Mehrotra, Adv.
Ms. Deepti R Mehrotra, Adv.

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

Heard both sides.

The petitioners were undergoing sentence of imprisonment for life pursuant to the conviction by the Court and they were released from the jail as per orders passed by the Governor and later pursuant to the Division Bench judgment of the Allahabad High Court petitioners Nos. 3 and 4 were arrested and petitioners Nos. 1 and 2 are still at large.

It is submitted that these petitioners have undergone imprisonment for more than 14 years and the State has filed affidavit in support of this contention. In view of the above submission, petitioner No. 3 Radhey Shyam S/o Shobha Ram and petitioner No. 4 Ajay Kumar S/o Hans Kishore, are directed to be released forthwith from the District Jail, Sitapur and Model Jail, Lucknow respectively, if not required in any other case. Petitioner No. 1 Hemraj S/o Ashrfi Lal and petitioner No. 2 Mahboob S/o Gafoor shall not be arrested pursuant to the judgment passed by the Division Bench of the High Court. These writ petitions are disposed of.

(D.P. WALIA)
COURT MASTER

(VEERA VERMA)
COURT MASTER