

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). 110 OF 2010

VINOD Appellant (s)

VERSUS

STATE OF M.P & ORS. Respondent(s)

(With appln(s) for bail and office report)

Date: 14/03/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD  
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Appellant(s) Mr. Sushil Kumar Jain, Adv.  
Mr. Ajay Veer Singh Jain, Adv.  
Mr. Mohd. Irshad Hanif, Adv.

For Respondent(s) Mr. Siddhartha Dave, Adv.  
Ms. Jemtiben, Adv.  
for Ms. Vibha Datta Makhija, Adv.

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

It is common ground that conviction and sentence of the appellant (Vinod) besides six other convicts, were maintained by the High Court under section 302/149 of the Indian Penal Code. It is further common ground that excepting the appellant (Vinod), all other convicts have been released under the provisions of Madhya Pradesh Prisoners Release on Probation Act, 1954.

When questioned Mr. Siddhartha Dave, learned counsel appearing on behalf of the respondents, as to why the appellant has not been released, he states that this appellant has not filed any application for the release on probation and therefore, his case was not considered.

Mr. Sushil Kumar Jain, learned counsel appearing on behalf of the appellant, states that the appellant has now remained in jail for more than seven years. He further states that the appellant shall file the application for release on probation within a period of four weeks from today. In case such an application is filed by the appellant, the competent authority of the State Government shall consider and pass the appropriate orders in accordance with law within six weeks from the date of filing of the said application.

Needless to state that while considering the case of the appellant, the competent authority shall bear in mind that convicts in the same case have already been released on probation.

List the matter after eight weeks.

(Sanjay Kumar)

Court Master

(Indu Satija)

| Court Master