ZITEM NO.59 COURT NO.4 SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1466/2012

(From the judgement and order dated 01/12/2011 in CRLR No.5136/2011, of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MAHIPAL SINGH & ORS. Petitioner(s)

VERSUS

STATE OF U.P.& ANR Respondent(s)
(With appln(s) for ex-Parte stay,exemption from filing O.T. and office report)

Date: 11/05/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Farrukh Rasheed,Adv.
Mr. J.V. Tomar,Adv.
Mr. V.N. Raghupathy,Adv.

For Respondent(s) Dr. Kailash Chand,Adv.

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

Heard both sides.
Leave granted.
The appeal is disposed of terms of the signed order.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.815 OF 2012
(@ SPECIAL LEAVE PETITION (CRL.)NO.1466 OF 2012)

MAHIPAL SINGH & ORS. ....APPELLANT(S)

VERSUS

STATE OF U.P. & ANR. ....RESPONDENT(S)

O R D E R

Heard both sides.
Leave granted.
It is not in dispute that while passing the impugned order, the High Court had not heard the present petitioners-Accused Nos. A1 to A5, respondents before it.

On this ground, without going into the merits of the claim, we set aside the impugned order of the High Court and remit the same to the High Court with a request to pass fresh orders after hearing all the parties concerned.

The appeal is disposed of accordingly.

.....J.
[P. SATHASIVAM]

NEW DELHI
11TH MAY, 2012

.....J.
[J. CHELAMESWAR]