

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).2 3 7 2 / 2 0 0 7

(From the judgement and order dated 2 1 / 1 2 / 2 0 0 6 in CRLA No. 2 2 1 6 / 2 0 0 6
of
The HIGH C O U R T O F U . P A T L U C K N O W)

A M A R N A T H M I S H R A

Petitioner(s)

V E R S U S

S A U R A B H M I S H R A & O R S .

Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

Date: 0 4 / 0 2 / 2 0 0 8 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E T A R U N C H A T T E R J E E
H O N ' B L E M R . J U S T I C E H . S . B E D I

For Petitioner(s)

Mr. C.D. Singh, Adv.
Mr. Merusaga r Sam a nta r ay, Adv.
Mr. Vairagya Vardha n, Adv.
Mr. Sunny Chowdhary, Adv.

For Respondent(s)

Mr. Ra kes h Dwivedi, Sr. Adv.
Mr. Mukti Chowdhary, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Siddharth Sengar, Adv.
Mr. Peter Wilson, Adv.

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

This special leave petition is filed against an order of the
High Court granting bail to the respondents herein during the
pendency of the Crimin al Appeal No.2 2 1 6 of 2 0 0 6 .

contd..

.2/-

S L P (C r l) N o (s) . 2 3 7 2 / 2 0 0 7

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It is true that the respondents were convicted by the
Sessions Court for life imprisonment under section 3 0 2 / 3 4 , I . P . C .
Fro m the impugned order, we find that the bail was granted by the
Trial Court also when the Trial was undergoing. Even after the bail
was granted to the respondents herein (appellants before the High
Court) during the pendency of the appeal one year had already elapsed
and there is no complaint against the appellants jumping the
condition for grant of bail. Therefore, at this stage, we do not find it
appropriate to cancel the bail. However, we request the High Court to
dispose of the Crimin al Appeal within six months without granting
unnecessa ry adjourn ment to either of the parties. In the event, the
appeal is not decided within the time specified hereinabove, it would
be open to the appellant to apply for cancellation of the bail of the
accused in the High Court.

With these observations, this special leave petition is
disposed of.

(A.D. Shar m a)
Court Master

(Phoolan Wati Arora)
Court Master