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W.P.(Crl.)No. 48-67 OF 2004

ITEM No.8

Court No. 7

SECTION X  
A/N MATTER

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

Writ Petition(Crl.) No. 48-67/2004  
JAGDAMBA PRASHAD & ORS.

Petitioner (s)

VERSUS

Respondent (s)

STATE OF U.P. & ANR.  
( With Office Report )  
With

W.P.(Crl.)No.73-90/2004 (With Office Report)

Date : 13/08/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN  
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)

Mr. S.M. Tripathi, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

For Respondent (s)

Mrs. Deepti R. Mehrotra, Adv.

Mr. Garvesh Kabra, Adv.

Mr. Ravi Prakash Mehrotra, Adv.

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

The Writ Petitions are disposed of in terms of the signed order.

(SUKHBIR PAUL KAUR)

COURT MASTER

( VEERA VERMA )

COURT MASTER

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

W.P.(CRL.) NOS.48-67/2004

JAGDAMBA PRASHAD & ORS.....PETITIONERS

VERSUS

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

With W.P. (CRL.) NOS. 73-90/2004

O R D E R

W.P. (CRL.) 48-67/2004

The petitioners who are 20 in number have completed more than 14 years of imprisonment. They were originally sentenced for life and while undergoing sentence, on 26.1.2000, by remission order, they were released. Pursuant to the impugned order, they were arrested and now undergo imprisonment. The State has filed an affidavit to the effect that all the petitioners have completed more than 14 years of imprisonment. A statement has also been filed alongwith the affidavit.

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In view of the aforesaid, all the petitioners are directed to be released forthwith, if not required in any other case. The annexure A-1 produced alongwith the affidavit will also form part of it.

W.P. (CRL.) 73-90/2004

The petitioners who are 18 in number have completed more than 14 years of imprisonment. They were originally sentenced for life and while undergoing sentence, on 26.1.2000, by remission order, they were released. Pursuant to the impugned order, they were arrested and now undergoing imprisonment. The State has filed an affidavit to the effect that all the petitioners have completed more than 14 years of imprisonment. A statement has also been filed alongwith the affidavit.

In view of the aforesaid, all the petitioners are directed to be released forthwith, if not required in any other case. The annexure A-1 produced alongwith the affidavit will also form part of it.

.....J.(K.G.BALAKRISHNAN)

.....J.  
(ARIJIT PASAYAT)

New Delhi;  
August 13, 2004