

Listed on: 10/3/2014  
Before Court No:8  
Item No: 54

SECTION-II

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.)NO.2864 OF  
2012

WITH  
CRIMINAL MISCELLANEOUS PETITION NO.9106 OF 2012  
(Application for bail)

RAM SUNDER ... Petitioner(s)  
VERSUS  
STATE OF U.P. ... Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 7<sup>th</sup> February, 2014 when the Court was pleased to pass the following order:

"At the time when the offence was committed, which took place in the year 1977, the petitioner herein was about 25 years of age. After a lapse of 35 years and at the time when the petitioner is about 60 years of age, the matter has reached this Court. The trial Court convicted the petitioner under Section 307 IPC and sentenced him to four years rigorous imprisonment. Before being released on bail, the petitioner had already served more than two years of the sentence.

Keeping in view of the aforesaid facts and circumstances of the case, we are of the opinion that it would be in the interests of justice to reduce the sentence imposed on the petitioner from four years to the period already undergone.

At this stage, it is brought to our notice by Mr. Gaurav Bhatia, learned Additional Advocate General of the State of Uttar Pradesh, that subsequent to the offence in which the present petition has been filed, the petitioner has been involved in another crime of murder of a person, who is stated to have been witness in this case. In that case, the petitioner has been charge-sheeted and the matter is at the stage of trial.

In that view of the matter, the entire issue would have to be re-examined. Leaned counsel for the parties are directed to ascertain the actual factual position and place the same on the record.

The matter is adjourned till 10<sup>th</sup> March, 2014."

It is submitted that pursuant to the order quoted above, Counsel for the Petitioner has on 4<sup>th</sup> March, 2014 filed an Affidavit. Copy of the same is circulated herewith for the kind perusal of the Hon'ble Court.

Service of Show cause Notice is complete.

The matter is listed before the Hon'ble Court with this office report.

DATED this the 4<sup>th</sup> day of March, 2014.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. Rohit Singh, Advocate
2. Mr. Anuvrat Sharma, Advocate

ASSISTANT REGISTRAR

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