

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 994 OF 2006

(@SPECIAL LEAVE PETITION (CRL.) NO.2558 OF 2006)

BABU

APPELLANT(S)

VERSUS

STATE OF U.P.

RESPONDENT(S)

O R D E R

Leave granted.

Delay condoned.

The appellant herein was convicted for the offence for murder

and was sentenced to undergo life imprisonment. While undergoing the

sentence, he was released on 26th January, 2000 by an order of

remission passed by the then Governor of Uttar Pradesh along with

other convicts. The order was challenged before the Division Bench of

the High Court and the High Court set aside that order. Thereafter the

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appellant was taken into custody on 11.01.2002 and the appellant is

undergoing sentence in jail. In similar circumstances, as regards

persons who had already undergone 14 years of imprisonment as on

26th January, 2000, we had directed them to be released. The

appellant herein, as on 26th January, 2000 had completed with

remission 23 years and a few days imprisonment. In view of the

aforesaid circumstances, the appellant herein is directed to be released

forthwith, if not required in any other case. Office shall send a copy of

this order to the Superintendent of Jail, Sampooranand Camp,

Sitarganj, District Udham Singh Nagar, in Uttaranchal State.

The appeal is disposed of accordingly.

.....J.

(K.G. BALAKRISHNAN)

.....J.

(D.K. JAIN)

NEW DELHI ;

22ND SEPTEMBER, 2006.

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ITEM NO.47

COURT NO.2

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).2558/2006

(From the judgement and order dated 27/09/2001 in CMWP No. 5039/2000 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

BABU

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report )

Date: 22/09/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Ms.Kiran Bhardwaj,Adv.(A.C.)

For Respondent(s)

Mr.Sahdev Singh, Adv.

Mr. Javed Mahmud Rao,Adv.

Mr.Shahid Ali Rao, Adv.

Ms.Musharraf Chawdhry, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

Delay condoned.

The appeal is disposed of in terms of the signed order.

(G.V.Ramana)

(Veera Verma

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Court Master

Court Master