

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.746/2022
[ARISING OUT OF SLP [CRL.] NO.3571/2022]

RASHID & ORS.

APPELLANT(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

RESPONDENT(s)

O R D E R

Leave granted.

On 25.04.2022 we had noticed the submissions of learned counsel for the appellants that two days after the impugned order was passed, the High Court itself in a petition filed by the co-accused considered appropriate to examine the matter in Criminal Miscellaneous Writ Petition No.1635/2022 vide order dated 07.03.2022.

Learned counsel for the respondent State has entered appearance and does not dispute the factual position.

In view of the aforesaid, we consider appropriate to set aside the impugned order dated 05.03.2022 and direct that Criminal Misc. Writ Petition No.2136/2022 be tagged with Criminal Miscellaneous Writ Petition No.1635/2022 for adjudication in accordance with law.

In view of the aforesaid, the interim order passed on 07.03.2022 would also enure for the benefit of the appellants before us i.e. till the next listing before the High Court or till the submission of the police report under Section 173(2) of the Cr.P.C. whichever is earlier, the appellants be also not arrested consequent to the impugned FIR.

The appeal stands allowed.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[M.M. SUNDRESH]

NEW DELHI;
MAY 06, 2022.

ITEM NO.29

COURT NO.6

SECTION II

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 (Cr1.) No(s). 3571/2022

(Arising out of impugned final judgment and order dated 05-03-2022 in CRMWP No. 2136/2022 passed by the High Court Of Judicature At Allahabad)

RASHID & ORS.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.
(FOR ADMISSION and I.R.)

Respondent(s)

Date : 06-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Ms. Srishti Singh, AOR
Ms. Shubhali Pathak, Adv.UPON hearing the counsel the Court made the following
O R D E R
Leave granted.

The appeal is allowed in terms of the signed order.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS(POONAM VAID)
COURT MASTER (NSH)

[signed order is placed on the file]