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SLP(Crl.)No. 3086 OF 2001

ITEM No.37

Court No. 9

SECTION II
A/N MATTER

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. 3086/2001

(From the judgement and order dated 12/04/2001 in CRLMA 1879/2001
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

RAJPAL & ANR.

Petitioner (s)

VERSUS

STATE OF U.P.

Respondent (s)

(With Appln(s). for stay)

Date : 04/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. Lokesh Kumar, Adv.
Mr. M.K. Garg, Adv.

For Respondent (s) Mr. Prashant Chaudhary, Adv.
Mr. Pramod Swarup, Adv.

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

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.SP2

Heard learned counsel for the parties for 15
minutes.

Leave granted.

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

.SP1

(K.K. Chawla)
Court Master

(D.D. Jindal)
Assistant Registrar

[Signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2002
(ARISING OUT OF SLP (CRIMINAL) NO.3086 OF 2001)

RAJPAL & ANR.

APPELLANTS

VERSUS

STATE OF U.P.

RESPONDENT

O R D E R@@
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Leave granted.

Upon hearing the submissions made on behalf of the parties, we do feel it expedient to offer an opportunity to cross-examine the witnesses since such an opportunity has been declined. Though strictly no fault may be attributed to the Court, but, in the interest of justice, such an opportunity should be granted. As such, the appellants herein would be at liberty to cross-examine the witnesses. Since the matter stands delayed, the trial court would do well to deal with the matter with utmost expedition upon affording an opportunity to the parties. The application for recall of the witnesses is thus allowed. The appeal stands disposed of accordingly.

.SP1

.....J.
(U.C. Banerjee)

.....J.
(Y.K. Sabharwal)

New Delhi,
March 04, 2002.