

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1) No(s).2942/2007

(From the judgement and order dated 20/04/2007 in CRLMA No. 12849/2006 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

SANJAI AND ORS. Petitioner(s)

VERSUS

STATE OF U.P.& ANR. Respondent(s)

(With application for stay and office report)

Date: 03/03/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Mr. B.K. Rathi,Adv.  
Mr. Rajesh,Adv.  
Mr. Dharam Singh,Adv.

For Respondent(s) Mr. T.N. Singh,Adv.  
Ms. Rashmi Singh,Adv.  
Mr. Rajeev Dubey,Ad.  
Mr. Kamendra Mishra,Adv.

Mr. A.S. Pundir,Adv.

UPON hearing counsel the Court made the following  
ORDER

Leave granted.

Heard the learned counsel for the parties. The appeal is disposed of in terms  
of the signed order.

(A.S. BISHT)  
COURT MASTER

(PUSHAP LATA BHARDWAJ)  
COURT MASTER  
[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 449 OF 2008  
[Arising out of SLP(Cr1.) No.2942/2007]

SANJAI AND ORS.  
(S)

... APPELLANT

:VERSUS:

STATE OF U.P. AND ANR.  
T(S)

... RESPONDEN

ORDER

Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that as no charge-sheet has been filed as against appellant Nos. 2 to 4, the impugned judgment cannot be sustained which is set aside accordingly. The criminal miscellaneous application filed by the said appellants for quashing the proceedings in Case Crime No. 73/03, is allowed.

The appeal is disposed of with the aforementioned direction.

.....J  
(S.B. SINHA)

.....J  
(V.S. SIRPURKAR)

NEW DELHI,  
MARCH 3, 2008.