

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO. 971 OF 2001

STATE OF U.P.

Appellant(s)

VERSUS

KALLAN

Respondent(s)

(Office Report on Default)

Date: 08/10/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.H. KAPADIA

For Appellant(s) Mr.Sunil Gupta, AAG
Ms.Shobha Dixit, Sr. Adv.
Mr.R.K. Singh, Adv.
Mr. Jatinder Kumar Bhatia,Adv.

For Respondent(s)

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

Leave was granted on 21.9.2001 and bailable warrants were ordered to be issued against the respondent in the sum of Rs. 10,000/-. As the bailable warrants were not executed, this Court on 15.07.2002 directed to issue non-bailable warrants. In spite of a number of adjournments taken the respondent could not be served. Since the Court was facing this problem in a number of cases filed by the State of U.P., the Court directed Director General of Police, U.P. to be present in the Court. On 10.09.2004, Director General of Police who was present in the Court assured us that instructions have been issued to the officers to promptly execute the summons/warrants issued by the Court. On this assurance we dispensed with the personal presence of the Director General of Police in future and the matter was adjourned for a period of four weeks to execute the warrants.

Mr. Sunil Gupta, Additional Advocate General for State of U.P., on instructions, today seeks to withdraw the appeal which is declined at this stage. Appellant is directed to first execute the warrants and then make an appropriate application for withdrawal of appeal.

Adjourned to 19th November, 2004 and in case warrants are not executed, the Director General of Police is directed to be present in the Court on 19th November, 2004.

(Parveen Kr. Chawla) (Kanwal Singh)
Court Master Court Master