

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 (Crl) No(s).4 4 3 0 / 2 0 0 8

(From the judgement and order dated 06 / 0 5 / 2 0 0 8 in Crl.Misc.Appln.
No.1 1 3 5 5 / 2 0 0 8 of The HIGH COUR T OF JUDICA TU R E AT ALL A H A B A D)

GYAN DE V I

Petitioner(s)

VER SUS

STA T E OF U.P. & ANR.

Respondent(s)

[With appln(s) for anticipatory bail, exemption from filing O.T. and
office report]

WI T H SL P(C rl) NO.4 4 3 1 of 2 0 0 8

[With appln(s) for anticipatory bail, exemption from filing C/C of the
impugned judgment, exemption from filing O.T. and office report]

Date: 23 / 0 1 / 2 0 0 9 These Petitions were called on for hearing today.

CORAM :

HON' B L E MR. JUS T I C E S.B. SINH A
HON' B L E DR. JUS T I C E MUKUN D A K A M SHA R M A

For Petitioner(s) Mr. J. P . Singh, Adv. for
Mr. R.C. Kaus hi k, Adv.

For Respondent(s) Mr. Ratn a k a r Dash, Sr. Adv.
Mr. S. Akbar Abbas Abdi, Adv. for
Mr. Anuvrat Shar m a , Adv.

UPON hearing counsel the Court made the following

OR D E R

As the provisions of Section 438 of the Code of Crimin

al

P rocedure are not applicable in the State of U.P. and in view of the fact
that only a prayer was made that the application for grant of bail may be
disposed of expeditiously and if possible on the same day whereupon the
High Court issued a direction that if the applicants appear before the Court
within 3 0 days from the date of passing of the order, viz., 0 6 th

May

2 0 0 8 and apply for bail, the same shall be considered and disposed
of

expeditiously and if possible on the same day, we fail to understand as to
on what premise these Special Leave Petitions under Article 1 3 6 of the
Constitution of India can be entertained. They are dismissed accordingly.

S.L. P .(Crl.)No.4 4 3 0 / 0 8 etc. (contd.)

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However, in modification of the order of the High Court, we direct
that the petitioners may now appear before the appropriate Court within
two weeks from date in which event, the Court concerned shall give effect
to the observations of the High Court.

(Subhash Chander)
A.R.- cum- P.S.

(Push ap Lata Bha rdwaj)
Court Master