

ITEM NO.60

COURT NO.5

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 (Crl.) No(s). 3842/2015

(Arising out of impugned final judgment and order dated 08/11/2012 in CRLA No. 4998/2004 passed by the High Court of Judicature at Allahabad)

ASHOK KUMAR

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(with interim relief and office report)

Date : 07/09/2015 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Joseph Aristotle S., AOR (AC)
Ms. Priya Aristotle, Adv.
Mr. M.B. Elakkumanan, Adv.

For Respondent(s) Mr. Ravi Prakash Mehrotra, AOR

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

Heard Mr. Joseph Aristotle S., learned *Amicus Curiae* and Mr. Ravi Prakash Mehrotra, learned counsel for the State.

Having heard learned counsel for the parties, we do not find any merit in the special leave petition.

However, we have been apprised by Mr. Mehrotra, learned counsel for the State that the petitioner has already spent more than 18 years and three months in custody and if he files an application seeking remission, the State may consider it.

In view of the aforesaid, Registry is directed to communicate

to the Superintendent of Police, Central Jail Agra to send an application seeking remission duly signed by the petitioner to the competent authority of the State Government so that, appropriate action in law can be taken.

The Registry is directed to communicate the order passed today to the concerned Superintendent of Police within a week hence and the Superintendent of Police, in turn, shall send an application, duly signed by the petitioner, to the competent authority of the State Government within a week therefrom. The competent authority of the State Government shall consider the same within six weeks from the receipt of the remission petition.

With the aforesaid observations and directions, the special leave petition stands dismissed.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master