

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(s).4398/2009

(From the judgement and order dated 18/05/2009 in CRMBA No. 12818/2009 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SUDARSHAN

Petitioner(s)

VERSUS

STATE OF U.P.& ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T.,stay)

Date: 06/12/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI  
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s)

Ms. Mridula Ray Bharadwaj,Adv.

For Respondent(s)

Mr. Ratnakar Dash,Sr.Adv.  
Mr. Rajeev Dubey,Adv.  
Mr. Kamendra Mishra,Adv.

Mr. P.K.Dey,Adv.  
Mr. Rohitash Singh,Adv.  
Ms. Rekha Pandey,Adv.

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

Leave granted.

Appeal is disposed of.

[SUMAN WADHWA]  
COURT MASTER

[VINOD KULVI]  
COURT MASTER

Signed order is placed on the file.  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2307 OF 2010  
(Arising out of SLP(Crl.)No. 4398/2009)

SUDARSHAN

.. APPELLANT(S)

vs.

STATE OF U.P. & ANR.

.. RESPONDENT(S)

O R D E R

Leave granted.

The High Court had granted bail to the accused primarily on two grounds (1) that he had been in custody since 2008 and (2) that he did not have a criminal history.

It has been pointed out by the learned counsel for the appellant that both these facts were wrong inasmuch that the respondents had been arrested on 11/1/2009 and had a very colourful and chequered history with several arrests for serious crimes. In this view of the matter we feel that the High court order granting bail was not justified.

We therefore set aside the order dated 18/5/2009 and direct that the respondent be taken into custody forthwith.

The appeal is disposed of accordingly.

.....J.  
(HARJIT SINGH BEDI)

.....J.  
(CHANDRAMAULI KR. PRASAD)

New Delhi,  
December 6, 2010.