

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1743 OF 2009

STATE OF J & K

... Appellant (s)

VERSUS

WASIM AHMED MALIK @ HAMID & ANR.

.. Respondent(s)

OFFICE REPORT

The appeal above mentioned was listed for hearing before the Hon'ble Court on 21st May, 2015 when hearing of the same was concluded and Hon'ble Court reserved its judgment which was pronounced vide this Hon'ble Court on 1st July, 2015 when the Hon'ble Court was pleased to pass inter alia the following order :

"...

18. Consequently, this appeal is partly allowed. The acquittal of Wasim Ahmed Malik is confirmed. However, the order of acquittal in respect of Ghulam Nabi is set aside and said accused Ghulam Nabi Guide is convicted of the offences with which he was charged. This being an appeal against the decision of acquittal rendered by the trial court, we deem it appropriate to issue notice to said Ghulam Nabi Guide on the issue of sentence. The authorities are directed to produce said Ghulam Nabi Guide before this Court so that appropriate opportunity to address this Court on the sentence to be awarded to him, can be afforded to him.

19. The appeal stands allowed in the aforesaid terms. The authorities are directed to ensure that Ghulam Nabi Guide is taken in custody forthwith and brought before this Court for the hearing on sentence.

20. We also direct the Supreme Court Legal Services Committee to pay to Mr. Dushyant Parashar Rs.20,000/- as remuneration for the assistance rendered to this Court."

It is submitted that pursuant to the order dated 1st July, 2015, Superintendent of Police, C.B.I. has sent a letter dated

15th September, 2015 stating therein that the convict was transferred to Tihar Jail from Jammu for pairvi of aforesaid appeal and presently lodged in Jail No.4 of Tihar Jail.

It is further submitted that Show Cause Notice was issued on 24th September, 2015 through Special Messenger to produce the Respondent No.2 viz. Ghulam Nabi Guide before this Hon'ble Court on 30th September, 2015 on hearing on sentence in compliance of this Hon'ble Court's above quoted order. Service is complete.

Original record of the designated Court TADA, Jammu is available in the Court Room for kind reference of the Hon'ble Court.

It is lastly submitted that appeal paper books in the matter above mentioned were weeded out due to inadvertence. Now the Counsel for the Respondent has furnished 3 sets of appeal paper books.

The appeal above mentioned is listed before the Hon'ble Court with this office report on hearing of Respondent No.2 on sentence.

DATED this the 28th day of September, 2015.

ASSISTANT REGISTRAR

COPY TO:

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ASSISTANT REGISTRAR