

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).35/2006.

(From the judgement and order dated 27/09/2001 in CMWP No.5039/2000
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

HALKA & ORS.

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(With office report)

Date: 15/09/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Mr. K.S. Bhati, Adv. (A.C.)

For Respondent(s)

Dr. Indra Pratap Singh, Adv.

Mr. Sanjay Kumar Singh, Adv.

Mr. Anuvrat Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

The appellants were released pursuant to an order of remission passed by the

Governor of State of U.P. on 25.01.2000. Thereafter, they were again taken into

custody by the police after the decision of a Division Bench of the High Court of

Allahabad passed on 27.09.2001. They are now undergoing imprisonment in Central

Jail, Agra, State of Uttar Pradesh and seek to be released pursuant to the aforesaid

order of remission. Out of all the appellants the following

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appellants had completed 14 years of imprisonment as on 26.1.2000 :

1. Halka son of Bridhavan;
2. Babu Lal son of Raj Mangal;
3. Sukhbir son of Krishna;
4. Munna son of Nathhi;
5. Dori son of Prema;
6. Jagdish son of Murari;
7. Rajvir son of Jahangir;
8. Jahir son of Abdul Rajjak;
9. Shankar son of Premraz; and
10. Ranveer son of Sukhveer.

In similar cases, this Court had released prisoners from the jail. Despite

opportunity being granted to the counsel for the State, he has not been able to provide

detailed information about these prisoners.

In the above circumstances, we direct the abovementioned appellants to be released

on interim bail subject to their executing personal bond to the satisfaction of the

Superintendent, Central Jail, Agra, U.P.

A copy of this order may be sent to the Superintendent, Central Jail, Agra for early

release of the abovementioned appellants.

Tag with Criminal Appeal No.406 of 2004.

(Subhash Chander)

(Veera Verm

a)

Court Master

Court Mast

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