

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).4034/2009

(From the judgement and order dated 05/05/2009 in CRMBA No. 21460/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MITHLESH SHARMA

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

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

WITH SLP(Crl) NO. 4070 of 2009

(With appln. for bail and permission to palce addl. documents on record and impleadment)

(With office report)

SLP(Crl) NO. 6370 of 2009

(With appln. for bail and office report)

SLP(Crl) NO. 7507 of 2009

(With appln. for c/d in filing SLP and bail and exem. from filing OT and impleadment and office report)

SLP(Crl) NO. 7695 of 2009

(With appln. for impleadment and bail and exem. from filing OT and office report)

SLP(Crl) NO. 9063 of 2009

(With appln. for impleadment and bail and exem. from filing OT and office report)

Date: 13/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI

HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s)

Mr. Vishwajit Singh,Adv.
Mrs.Veera Kaul Singh,Adv.
Mr. Siddharth Sengar,Adv.
Mr. Abhindra Maheshwari,Adv.
Mr. Pankaj Singh,Adv.

Mrs.Rekha Palli,Adv.
Mr. A.V.Palli,Adv.
Mr. Atul Sharma,Adv.

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For Respondent(s)

Mr. H.Raval,ASG.
M/s. P.K.Dey,C.P.Sharma,T.A.Khan and
Arvind Kumar Sharma,Advs.
Mr. T.N.Singh,Adv.
Mr. Manoj K.Mishra,Adv.
Mr. Rajeev K.Dubey,Adv.
Mr. Kamlendra Mishra,Adv.

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

Mr. H.Raval, the learned Additional
Solicitor General very fairly submits that the
petitioners have been in custody for almost two years
and the charge-sheets have still not been submitted in

Court and therefore their release on bail under Sec.167(2) of the Cr.P.C. was mandatory. As this issue had not been raised in the High Court, Mr. Raval seeks time to get instructions on this aspect as also to the conditions for grant of bail should it be granted. The matters are adjourned.

[SUMAN WADHWA]
COURT MASTER

[PHOOLAN WATI ARORA]
COURT MASTER