

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. 5465/2004

(From the judgement and order dated 26/10/2004 in CRLA 2826/2004
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

UDAI BHAN SINGH @ DOCTOR SINGH

Petitioner (s)

VERSUS

STATE OF U.P.

Respondent (s)

(With Appln(s). for exemption from filing c/c of the impugned
Judgment and Ex-Parte stay)

Date : 29/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Ranjit Kumar, Sr.Adv.
Mr. Sapam Biswajit Metei, Adv.
Mr. Ashok Kumar Singh,Adv.
Mr. Manisha Bhandari, Adv.

For Respondent (s)Mr. R.K. Jain, Sr.Adv.
/CaveatorMr. Ajay Bhalla, Adv.
Mr. P.K. Jain,Adv.

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

Learned Senior counsel for the petitioner complains that the High Court failed to consider the
bail application on merits merely on the ground that the
..2/-

.2.

appeal itself was likely to be heard shortly. Possibly, the High Court did not decide the bai
l application on merits thinking that the appeal itself shall be heard early. Learned counsel
states that the High Court has denied the right of the petitioner for consideration of his ap
plication on merits.

We do not think it is appropriate for us to interfere with the impugned order. All that we ca
n say is that in case the appeal is not heard and decided by the High Court within a period of
six weeks from today, provided the appellant also co-operates, it is open to the petitioner t
o apply for bail afresh and in that event, the High Court will consider the bail application o
n merits and pass appropriate orders.

The special leave petition is disposed accordingly.

Sarita

(Shelly Sengupta)
Court Master