

ITEM NO.101

COURT NO.9

SECTION II-C

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

Criminal Appeal No(s). 795/2011

MANOJ KUMAR

Appellant(s)

VERSUS

THE STATE OF HIMACHAL PRADESH

Respondent(s)

(PART-HEARD BY HON'BLE N.V. RAMANA AND HON'BLE S. ABDUL NAZEER,
JJ.)

WITH

Crl.A. No. 796/2011 (II-C)

Crl.A. No. 797/2011 (II-C)

(IA No.76557/2017-I/A FOR BAIL IN CRL.A. NO. 797/2011)

Date : 07-02-2018 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s)

Mr. Shiv Ram Sharma, AOR

Mr. Satyendra Kumar Srivastav, Adv.

Mr. Gopal Prasad, AOR

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Rahat Sharma, Adv.

For Respondent(s)

Mr. Varinder Kumar Sharma, AOR

Mr. Sanjeev Kumar, Adv.

Ms. Parul Sharma, Adv.

Mr. Yugal K. Prasad, Adv.

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

We have heard learned counsel for the appellants appearing in these appeals. Unfortunately, there is no representation on behalf of the State of Himachal Pradesh. Mr. Varinder Kumar Sharma, learned counsel, who was present on the last date of hearing, is

present today also. He submits that he has no instructions in these matters.

On 30th January, 2018, this Court made the following order :-

"Heard learned counsel for the appellant in Criminal Appeal No. 797 of 2011 in part.

None present on behalf of the appellants in other two appeals, in spite of waiting for half an hour.

Even for the State of Himachal Pradesh, no responsible officer has appeared in the Court. However, Mr. Varinder Kumar Sharma, learned counsel appeared and undertakes that he will argue on the next date of hearing and also get proper instructions about any remission schemes pending for consideration of early release of persons who had suffered more than 15 years incarceration. Learned standing counsel is directed to assist the Court positively, on the next date of hearing, with relevant record, otherwise we are supposed to order appearance of the Advocate General of the State of Himachal Pradesh.

The Registry is directed to communicate this order forthwith to the Chief Secretary of the State of Himachal Pradesh.

List these matters on Wednesday, the 7th February, 2018 as part heard."

In view of the fact that no standing counsel for the State of Himachal Pradesh is present even today also, we have no option but to direct the Chief Secretary of the State of Himachal Pradesh to appear before this Court on the next date of hearing and explain the reasons for not engaging any counsel in these matters.

List these appeals on 15th February, 2018.

The Registry is directed to communicate this order forthwith to the Chief Secretary of the State of Himachal Pradesh.

(SUKHBIR PAUL KAUR)
AR CUM PS

(RENUKA SADANA)
ASST. REGISTRAR