

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.7151/2009

(From the judgement and order dated 16/07/2009 in CRMBA No. 18334/2009
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

ALIM Petitioner(s)

VERSUS

STATE OF U.P.& ANR. Respondent(s)

(With appln(s) for exemption from filing O.T., stay, permission to file
additional documents)

Date: 21/02/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Rohit Kumar Singh, Adv.

For Respondent(s) Mr. R.K. Gupta, Adv.
Mr. Rajiv Dubey, Adv.
Mr. Kamendra Mishra, Adv.

For Resp. No.2 Mrs. Manisha Bhandari, Adv.
Mr. Omkar Shrivastava, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

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

Despite the fact that the matter has appeared on an Office Report indicating that counter affidavit has not been filed yet. Mrs. Manisha Bhandari, appearing for the respondent No.2, as also the State of U.P., submits that they do not intend to file any counter affidavit. The matter is, therefore, taken up for final disposal.

This special leave petition is directed against the judgment and order dated 16th July, 2009, passed by the Allahabad High Court in Criminal Misc. Appeal Bail Application No.18334 of 2009. Briefly stated, the facts indicate that one Imran, the respondent No.2 herein and four others, were charge-sheeted under Sections 147, 148, 149, 307, 302, 114, 504 and 120-B I.P.C. in connection with Case Crime No.748 of 2007, pertaining to Murad Nagar Police Station, District Ghaziabad.

Of the five accused persons, four had been granted bail earlier and the respondent No.2 was granted bail on

16th July, 2009, by the order impugned.

It appears that the trial has commenced against the accused persons and two witnesses have already been examined out of the seven witnesses to be examined by the prosecution. Inasmuch as, there is no complaint against the respondent No.2 of having misused the bail granted to him over the last one and half years, we see no reason to entertain the special leave petition and we, accordingly, dismiss the same. However, since the matter is pending since 2007, the Sessions Court is directed to complete the trial as expeditiously as possible, but positively within a period of six months from the date of communication of this order.

(Chetan Kumar)
Court Master

(S.S.R. Krishna)
Court Master