

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CRL.) NO(s). 87 OF 2009

SHIV LOTAN Petitioner(s)

VERSUS

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

(With appln(s) for bail,permission to file additional documents and office report)

Date: 07/03/2011 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. S.K. Sabharwal,Adv.
Mr. Jetendra Singh, Adv.

For Respondent(s) Mr. Ratnakar Dash, Sr. Adv.
Mr. Ashutosh Sharma,Adv. for
Mr. Gunnam Venkateswara Rao,Adv.

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

The Writ Petition is disposed of in terms of signed order.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master

[SIGNED ORDER IS PLACED ON THE FILE]
IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL.) NO. 87 OF 2009

SHIV LOTAN ...PETITIONER

VERSUS

STATE OF U.P. & ANOTHER ...RESPONDENTS

O R D E R

1. We have heard learned counsel for the parties.
2. Mr. Ratnakar Dash, learned senior counsel appearing for the State of U.P. has filed before us a Government Order No. 54/22-2-

2011-18(64)/99 dated 22.1.2011 issued by the Special Secretary,

Government of Uttar Pradesh which provides the guidelines for

release of the convicted prisoners for the offences punishable

under Section 302 and other allied offences. It is stated

therein that the Government has decided to release all these

convicts who have attained 60 years of age and are sentenced to

life imprisonment and have completed 16 years of un-remissioned

sentence on 13.1.2011.

3. Mr. S.K. Sabharwal, learned counsel appearing for the

petitioner submits that the petitioner herein has also completed

16 years of un-remissioned sentence which is an admitted position

by the State.

4. In that view of the matter, we direct the State to

ascertain the age of the petitioner and take an appropriate

decision in view of the aforesaid office order within two weeks' from the date of communication of this order.

: 2 :

5. The Writ Petition stands disposed of accordingly.

.....J.
[V.S. SIRPURKAR]

.....J.
[T.S. THAKUR]

NEW DELHI
MARCH 7, 2011.