|ITEM NO.17 COURT NO.12 SECTION II

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)... 2010
CRLMP.NO(s). 19730-19733

(From the judgement and order dated 17/07/2009 in CRLA No. 5968, 5608, 5443 & 5445/2006 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P. Petitioner(s)

VERSUS

SHAFAQAT & ANR.ETC. Respondent(s)

(With appln(s) for c/delay in filing SLP)

WITH
SLP (Crl.)...CRLMP NO. 20072-20075 of 2010
(With appln. for permission to file SLP and office report)

Date: 12/11/2010 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)
PR 19730/2010 Mr. P.N. Misra, Sr. Adv.
Mr. Rajeev K. Dubey, Adv.
Mr. Kamlendra Mishra, Adv.

PR 20072/2010 Mr. Ansar Ahmad Chaudhary, Adv.

For Respondent(s)
Mr. Raj Singh Rana, Adv. (NP)

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

Crl.M.P. Nos. 19730-19733/2010
Mr. P.N. Misra, senior advocate appearing for the petitioner (State of Uttar Pradesh) submitted that one of the main grounds on which the High Court's judgment of acquittal is based is that the injured witness Mohd. Yasin

.....2/-

: 2 :

(PW-1) was not examined by the Police and he was examined as a prosecution witness for the first time in Court. He invited our attention to the judgment of the trial court at page 68 of the paper book that refers to Mohd. Yasin's statement recorded under section 161 of the Code of Criminal Procedure, 1973.

Issue notice both on the limitation petition and in the special leave petition.

Crl.M.P. Nos. 20072-20075/2010

This petition is filed by Mohd. Yasin (PW-1). Permission to file the special leave petition granted.

Issue notice.

(N.S.K. Kamesh)
Court Master

(S.S.R. Krishna)
Court Master