

ITEM NO.103

COURT NO.15

SECTION II-A

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).305/2011

SHYAM KALI DUBEY

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

Date : 16-03-2023 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE MANOJ MISRA

For Appellant(s) Ms. Sunita Sharma, AOR
Ms. Nishi Prabha Singh, Adv.
Ms. Archana Singh, Adv.
Mr. Nitish Shani, Adv.
Mr. Hari Om Singh Rajour, Adv.

For Respondent(s) Mr. Nachiketa Joshi, Adv.
Mr. Pashupathi Nath Razdan, AOR

UPON hearing the counsel the Court made the following

O R D E R

Ms. Nishi Prabha Singh, learned counsel appearing for the Appellant would point out that the wife and the husband were both convicted for the offence under Section 302 IPC and for the co-accused Radharaman who has spent 14 years in jail, this Court on 02.08.2013 had permitted him to withdraw his appeal as the government proposed to release him from custody as per the prevalent Government policy. Insofar as the present appellant Smt. Shyam Kali Dube is concerned, she was released on bail by

this Court on 28.04.2014 by noting that she has served 14 years incarceration in jail.

However, Mr. Nachiketa Joshi, learned counsel representing the State of Madhya Pradesh on instruction submits that the appellant had actually spent around 8 years and 2 months in jail and not 14 years as was recorded in this Court's order dated 28.04.2014. The State counsel accordingly prays for and is granted two weeks' time to file affidavit with appellant's custody certificate.

List after two weeks.

(DEEPAK JOSHI)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR