

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6906/2007
(From the judgement and order dated 04/07/2007 in CRLRN No. 74/2002 of The HIGH COURT OF Alalhabad AT LUCKNOW)

KRISHNA KUMAR SINGH Petitioner(s)

VERSUS

STATE OF U.P. Respondent(s)
(With appln(s) for stay and office report)

Date: 12/05/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. K.K. Tyagi, Adv.
Mr. P. Narasimhan, Adv.
Mr. Iftexhar Ahmad, Adv.

For Respondent(s) Mr. M. Yunus Malik, Adv.
Mr. Anil Kumar Jha, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is allowed in terms of the signed order.

[Meenu Sethi] [Pushap Lata Bhardwaj]
A.R.cum-P.S.

Court Master

Signed order is placed on the file
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 882 OF 2008
(Arising out of SLP(Crl.) No.6906/2007)

Krishna Kumar Singh ...Appellant

Versus

State of U.P. ...Respondent

O R D E R

Leave granted.

The Criminal Revision filed by the appellant was dismissed in the absence of his counsel. We, although, appreciate the anxiety on the part of the High Court to deal with the matters expeditiously, but keeping in view the peculiar facts and circumstances of this case, we are of the opinion that the appellant deserves another hearing.

Learned counsel for the appellant states that on the next date fixed for hearing, the appellant's counsel shall appear and make his submissions before the High Court on merit of the matter. We, therefore, set aside the impugned judgment and restore the Criminal Revision to the original file of the High Court.

Learned counsel for the parties may be intimated about the date fixed for the hearing of the matter. As indicated hereinbefore the counsel for the appellant shall not take any adjournment save and except for cogent reasons.

The appellant may file an application for bail before the High Court within four weeks. For a period of six weeks, the interim order passed by this Court on 10.12.2007 shall continue.

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The appeal is allowed with the aforementioned observations and directions.

[S.B. SINHA]

.....J.

[LOKESHWAR SINGH PANTA]

.....J.

New Delhi,
May 12, 2008.

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