

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

Petition(s) for Special Leave to Appeal (CrI.) No(s).3088-3089/2016

(Arising out of impugned final judgment and order dated 10-03-2014 and dated 16-11-2015 in SB CRL. PETN. No.116/2004 and SB CRL. MISC. APPLN.NO.139/2015 IN SB CRL. PETN. No.116/2004 passed by the High Court Of Judicature For Rajasthan At Jaipur)

NARENDRA SHARMA

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ANR.

Respondent(s)

(With appln.(s) for c/delay in filing SLP and exemption from filing O.T.)

Date : 23-10-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Dr. Vinod Kumar Tewari, AOR
Mr. Vivek Tiwari, Adv.
Mr. D.N. Dubey, Adv.
Mr. Satyam Pandey, Adv.

For Respondent(s)

No.1

Mr. Kunal Verma, AOR
Ms. Yugandhara Pawar Jha, Adv.
Mr. Piyush Bhardwaj, Adv.

No.2

Mr. Abhaid Parikh, Adv.
Mr. Anirudh Sharma, AOR
Mr. Jasmeet Chauhan, Adv.

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

1. Since the applicant was not present on 10.3.2014, i.e., the date on which the High Court dismissed the petition under Section 482 Cr.P.C., the High Court has

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granted liberty to the petitioner to file fresh petition within one month. It was filed belatedly, i.e., approximately after 11 months. The applicant's counsel was not present when the previous order was passed. Delay was based on the lack of knowledge of the order that was passed on 10.3.2014.

2. In the circumstances, we modify the order dated 10.3.2014 and give two month's time to the petitioner from today, as the High Court had given the liberty to file fresh petition.

3. Let the fresh petition be filed before the High Court within two months. The High Court to entertain and examine the petition on merits. The special leave petitions as well as pending applications are disposed of.

(Sarita Purohit)
Court master

(Tapan Kumar Chakraborty)
Branch Officer