

ITEM NO.10 Court 1 (Video Conferencing) 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 (CrI.) No(s).3518/2021

(Arising out of impugned final judgment and order dated 26-03-2021 in CRMBA No.1702/2020 passed by the High Court of Judicature at Allahabad)

DHARMENDRA SINGH SENGAR Petitioner(s)

VERSUS

SHYAM SUSHIL MISHRA & ANR. Respondent(s)

IA No.75022/2021 - APPLICATION FOR PERMISSION

IA No.55890/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No.55891/2021 - EXEMPTION FROM FILING O.T.

IA No.79347/2021 - EXEMPTION FROM FILING O.T.

IA No.76463/2021 - EXEMPTION FROM FILING O.T.

IA No.75023/2021 - EXEMPTION FROM FILING O.T.

WITH

SLP(CrI) No.6265/2021 (II)

(FOR ADMISSION and I.R. and IA No.95164/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.95165/2021-EXEMPTION FROM FILING O.T. and IA No.95163/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 22-09-2021 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Ms. Vibha Dutta Makhija, Sr.Adv.
Mr. Shakti Pandey, Adv.
Mr. Sandeep Shukla, Adv.
Mr. Gopal Balwant Sathe, AOR

For Respondent(s) Mr. Basant R., Sr.Adv.
Mr. Rohit Amit Sthalekar, AOR
Mr. Akshay Sahay, Adv.

Mr. Ravindra Singh, Sr.Adv.
Mr. Raman Yadav, Adv.
Mr. Syed Mehdi Imam, AOR

Mr. Rana Mukherjee, Sr.Adv.
Mr. Ankit Goel, AOR

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

The Court is convened through Video Conferencing.

Having heard learned senior counsel for the parties and carefully perusing the material placed on record, we see no reason to interfere with the impugned orders passed by the High Court whereby the High Court granted bail to respondent No.1 herein.

The special leave petitions are, accordingly, dismissed.

However, in view of the apprehension expressed by the learned senior counsel for the petitioner about the security of the family of the petitioner/complainant, we direct the petitioner to file an application before the concerned Superintendent of Police in that regard. The concerned Superintendent of Police is directed to consider and take appropriate action on the said application in accordance with law.

Taking into consideration the statement made by the learned counsel for the respondent - State that after release of respondent No.1 on bail, the possibility of threatening or influencing the witnesses is not ruled out, we direct respondent No.1 in both the special leave petitions not to enter Kanpur Nagar till the trial is concluded.

Consequent upon dismissal of the special leave petitions, the direction given by this Court vide orders dated 02.07.2021 and 19.08.2021 to the State not to release respondent No.1 in both the special leave petitions stand vacated.

As a sequel to dismissal of the special leave petitions, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)