

ITEM NO.42

COURT NO.6

SECTION II

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 28783/2023

[Arising out of impugned final judgment and order dated 13-09-2018 in CRLA No. 370/1983 passed by the High Court of Judicature at Allahabad]

SURENDRA @ SUNDA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

Mr. K. Parameshwar, Learned senior counsel has been appointed as Amicus Curiae in the instant matter.

IA No. 244419/2024 - APPLICATION FOR PERMISSION IA No. 288753/2024 - APPLICATION FOR PERMISSION IA No. 245536/2024 - APPLICATION FOR PERMISSION IA No. 289119/2024 - APPLICATION FOR PERMISSION IA No. 59584/2025 - APPROPRIATE ORDERS/DIRECTIONS IA No. 59383/2025 - APPROPRIATE ORDERS/DIRECTIONS IA No. 129279/2024 - CONDONATION OF DELAY IN FILING IA No. 203861/2024 - EXEMPTION FROM FILING O.T. IA No. 279416/2024 - EXEMPTION FROM FILING O.T. IA No. 257427/2024 - EXEMPTION FROM FILING O.T. IA No. 59400/2025 - INTERVENTION APPLICATION IA No. 59376/2025 - INTERVENTION APPLICATION IA No.245529/2024 - INTERVENTION APPLICATION IA No. 244420/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION IA No. 288756/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION IA No. 245537/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION IA No. 245530/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION IA No. 289120/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH

W.P.(Crl.) No. 433/2024 (X)
(FOR EX-PARTE STAY ON IA 243278/2024 FOR INTERIM BAIL ON IA 243282/2024 FOR EXEMPTION FROM FILING O.T. ON IA 243285/2024 FOR EXEMPTION FROM FILING O.T. ON IA 87610/2025 IA No. 243278/2024 - EX-PARTE STAY IA No. 87610/2025 - EXEMPTION FROM FILING O.T. IA No. 243285/2024 - EXEMPTION FROM FILING O.T. IA No. 243282/2024 - INTERIM BAIL)

Date : 28-04-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE ARAVIND KUMAR

Mr. K. Parameshwar, Sr. Adv. (AC)
Mr. Ravi Raghunath, Adv.
Mr. Srinivas Patil, Adv.

Ms. Chitransha Singh S., Adv.

For Petitioner(s) :Mr. Ajit Singh Pundir, AOR
Mr. Arijeet Singh, Adv.

Mr. Sanjai Kumar Pathak, AOR
Mrs. Shashi Pathak, Adv.

For Respondent(s) :Ms. Garima Prasad, Sr. A.A.G.
Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Suraj Singh, Adv.
Mr. Dhawal Uniyal, Adv.

Mr. Rahul Kaushik, Sr. Adv.
Mr. Meenesh Dubey, Adv.
Mr. Sanjeev Gupta, Adv.
M/S. Dubey & Chandra Law Chambers, AOR

Mr. T. R. B. Sivakumar, AOR

Mr. Aarif Ali, Adv.
Mr. Mujahid Ahmad, Adv.
Mr. Dharendra Kumar Verma, Adv.
Mr. Rakesh Ranjan, Adv.
Mr. Chand Qureshi, AOR

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

IA No. 244420/2024 in SLP (Crl) D. No. 28783/20231

1. Since, the case of premature release in respect of the applicant-Moinuddin is rejected by the State, however, learned counsel appearing for him prays for time to surrender. As prayed, three weeks' time is allowed with liberty to take recourse and to challenge the order rejecting premature release.

2. In that view of the matter, no further orders are required on the interlocutory application and the order

granting interim protection shall not continue so far as it relates to the Moinuddin.

3. The interlocutory application is accordingly disposed of.

Writ Petition (Crl.) No. 433/2024

4. After hearing learned counsel for the petitioners, we see no reason and ground to intervene in this writ petition. However, the recourse as permissible to the petitioners may be taken challenging the order rejecting their application for premature release.

5. In view of the above observation, the present writ petition stands disposed of.

6. The petitioners who have already been released are granted three weeks' time to surrender before the court concerned subject to further orders by the High Court, if any, passed in the proceedings.

SLP (Crl.) Diary No(s). 28783/2023

7. List on 05.05.2025.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(NAND KISHOR)
ASSISTANT REGISTRAR