

ITEM NO.22 **Revised**
COURT NO.4 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

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 3782/2022

(Arising out of impugned final judgment and order dated 21-01-2022 in IA No. 1/2022 passed by the High Court of Judicature at Allahabad)

AKBAR ALI KHAN

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.59768/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.59769/2022-EXEMPTION FROM FILING O.T.)

Date : 02-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

Mr. Anilendra Pandey, AOR

For Respondent(s)

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

- 1 The petitioner who is a Head Constable has instituted proceedings under Section 482 of the Code of Criminal Procedure 1973, numbered as Application under Section 482 No 19636 of 2019. On 11 July 2019, the Single Judge of the High Court, while noting that the petitioner was discharging his official duties at the time of the alleged incident, directed that till the next date of listing further proceedings of Complaint Case No 63 of 2016 under Sections 504 and 506 of the Indian Penal Code 1860 pending in the Court of the Additional Chief Metropolitan Magistrate-III Kanpur Nagar shall remain stayed as against the petitioner.

- 2 The grievance of the petitioner is that, thereafter, despite several applications for listing, the petition has not been taken up by the High Court and, in the meantime, on 16 December 2021, a non-bailable warrant has been directed to be issued by the Court of MM 10, Kanpur Nagar.
- 3 In this backdrop, we are of the view that it would be appropriate that the High Court takes up the application expeditiously and within a period of four weeks from the date of this order. Until the High Court disposes of the application under Section 482, there shall be a direction to the effect that no coercive steps shall be taken against the petitioner.
- 4 The Registrar (Judicial) of the High Court shall, within a period of two weeks, place a copy of this order before the assigned Judge according to the roster so that the proceedings may be listed and be taken up expeditiously within the time frame indicated.
- 5 The Special Leave Petition is accordingly disposed of.
- 6 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(RAM SUBHAG SINGH)
COURT MASTER

ITEM NO.22

COURT NO.4

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

Mr. Anilendra Pandey, AOR

For Respondent(s)

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

- 1 The petitioner who is a Head Constable has instituted proceedings under Section 482 of the Code of Criminal Procedure 1973, numbered as Application under Section 482 No 19626 of 2019. On 11 July 2019, the Single Judge of the High Court, while noting that the petitioner was discharging his official duties at the time of the alleged incident, directed that till the next date of listing further proceedings of Complaint Case No 63 of 2016 under Sections 504 and 506 of the Indian Penal Code 1860 pending in the Court of the Additional Chief Metropolitan Magistrate-III Kanpur Nagar shall remain stayed as against the petitioner.

- 2 The grievance of the petitioner is that, thereafter, despite several applications for listing, the petition has not been taken up by the High Court and, in the meantime, on 16 December 2021, a non-bailable warrant has been directed to be issued by the Court of MM 10, Kanpur Nagar.
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