

SLP(Crl.)No. 3759 OF 2002

ITEM NO.
IB (For Judgment)
COURT NO.
7
SECTION
IIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRL.A.NOS.... /2003 @ SLP(CRL.) NO.3759 of 2002

ARVIND YADAV
...
PETITIONER (S)

VERSUS

RAMESH KUMAR & ORS.

...
RESPONDENT (S)
WITH

CRL.A.NOS.641-652/2003
@ SLP(Crl.)No.4397/2002, SLP(Crl.)No.4544/2002, SLP(Crl.)No.4539/2002,
SLP(Crl.)No.4700/2002, SLP(Crl.)No.4896/2002, SLP(Crl.)No.5049/2002,
SLP(Crl.)No.5200/2002, SLP(Crl.)No.5202/2002, SLP(Crl.)No.5203/2002,
SLP(Crl.)No.5204/2002, SLP(Crl.)No.5206/2002

(HEARD BY HON'BLE Y.K. SABHARWAL, H.K. SEMA, JJ.)

Date :
28/04/2003
This Petition was called on for Judgment today.

HEARD BY :
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Uday Umesh Lalit,Adv.

State of M.P.Mr. R.P. Gupta, Sr. Adv.
Mr. R.K. Rathore, Adv.
Mr. Sakesh Kumar, Adv.
Ms. Kamakshi S. Mehlwal,Adv.

Mr. A.P. Sahay, Adv.
for Mr. C.S. Ashri, Adv.

For Respondent (s)Mr. S.K. Sabbarwal,Adv.

State of M.P.Mr. Vishwajit Singh, Adv.
Ms. Kamakshi S. Mehlwal,Adv.

Mr. D.D. Bhargav, Adv.
Mr. U.B. Chaurasia, Adv.
Mr. Shiv Sagar Tiwari, Adv.

in SLP(Crl.) 5202 &Mr. B.S. Rjesh Roshan, Adv.
SLP(Crl.) 4700/02Mr. Y.K. Prasad, Adv.
Mr. Varinder Kumar Sharma, Adv.

UPON hearing counsel, the Court made the following
J U D G M E N T

Hon'ble Mr. Justice Y.K. Sabharwal pronounced the judgment of the Court.
Leave granted.

The appeals are allowed in terms of the signed Judgment.

The impugned judgment of the High Court is set aside. The Court direct the State Government to decide afresh the question of release of the convicts in accordance with law without being influenced by any observation on merits made by the High Court or this Court. The convicts released pursuant to the impugned judgment are directed to surrender forthwith failing which, immediate steps shall be taken to take them into custody. The State Government shall consider afresh the cases of the convicts for release only when they are in custody undergoing the remaining part of sentence. On surrender/arrest of the convicts, the State Government shall decide their respective cases within two months.

REPORTABLE.

(P.D. Balodi)
Court Master

(V.P. Tyagi)
Court Master

(Signed REPORTABLE judgment is placed on the file)