

ITEM NO.28

COURT NO.3

SECTION II

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

CRLMP. 5070/2015 in Criminal Appeal Diary No.8226/2015

SHANE HAIDAR & OTHERS

Appellant(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(for exemption from surrendering)

Date : 06/04/2015 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
[IN CHAMBERS]

For Appellant(s)

Mr. Siddhartha Dave, Adv.
Ms. Jemtiben, Adv.
Mr. Sajith. P., Adv.

For Respondent(s)

Mr. Mohd. Naved, Adv.
Mr. Arup Banerjee, Adv.

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

One of the main grounds taken in the Criminal Appeal is that even while the High Court reversed the order of acquittal, the appellants were not heard. Hence, it is submitted that in the light of the Judgment of this Court in Mohd. Sukur Ali Vs. State of Assam (2011) 4 SCC 729, the matter will have to be remitted to the High Court.

In view of the above submissions, Crl.M.P. for exemption from surrendering is allowed.

Post the matter before the Court immediately.

Signature Not Verified

Digitally signed by

Rajni Mukhi

Date: 2015.04.08

16:30:07 IST

Reason:

(Rajni Mukhi)

Sr. P.A.

(Pardeep Kumar)

AR-cum-PS