

ITEM NO.42

COURT NO.7

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

Crl.MP.No.1292/2015 in

Petition(s) for Special Leave to Appeal (Crl.) No(s). 7950/2014

(Arising out of impugned final judgment and order dated 02/05/2014 in CRLA No. 361/1992 passed by the High Court Of Judicature at Allahabad)

MUJAMMIL &amp; ANR.

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

Date : 30/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s)     Mr. Salman Khurshid, Sr. Adv.  
                              Mr. S.R. Singh, Sr. Adv.  
                              Mr. Avnish Singh, Adv.  
                              Mr. Akshat Kumar, Adv.  
                              Mr. Piyush Sharma, Adv.  
                              Mr. Ajay K. Jain, Adv.  
                              Mr. Yash Pal Dhingra, Adv.

For Respondent(s)     Mr. Fakhruddin, Sr. Adv. (Not present)  
                              Mr. Shakeel Ahmed, Adv.  
                              Ms. Sadiya Shakeel, Adv.  
                              Mr. Ansar Ahmad, Adv.

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

This application (Crl.M.P.No.1292/2015) is filed with the prayer as follows:

"(a) Pass necessary order for release of the applicant on bail to the satisfaction of Sessions Judge, Muzaffarnagar, pending hearing and final disposal of the SLP filed by the applicant/petitioner No.2; and

(b) pass any order or further orders as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case."

The applicant-petitioner No.2 (Faizul) is convicted for an offence punishable under Section 302 read with Section 149 of the Indian Penal code by the trial Court. His conviction has been affirmed by the High court resulting in the instant special leave petition.

From the application, it appears that the applicant-petitioner No.2 had some coronary problem consequently underwent angioplasty and three (3) stents had been injected into the arteries of the applicant-Faizul sometime in the month of November, 2014 and the applicant was discharged on 8<sup>th</sup> December, 2014.

The instant application came to be filed on the ground that in view of the above mentioned health problem the applicant is required to have medical attention. As the angioplasty was conducted at Govind Ballabh Pant Hospital, New Delhi he is required to travel frequently to Delhi for such medical care.

Heard Mr. Salman Khurshid, learned senior counsel appearing on behalf of the applicant-petitioner No.2 (Faizul) and Mr. Shakeel Ahmed, learned counsel for the respondent-State.

In the circumstances, we deem it appropriate to enlarge the applicant-petitioner No.2 (Faizul) on bail for a period of eight (8) weeks from the date of his enlargement

subject to the following conditions:

1. That during the said period of eight (8) weeks, the applicant-petitioner No.2 (Faizul) shall stay at the house of Haji Yusuf S/o Haji Maqsood, Village-Masoori Police Station-Masoori, District Ghaziabad, Uttar Pradesh and report to the Police Station-Masoori, Dist.Ghaziabad,U.P. once in a week i.e. every Monday between 10 A.M. to 4 P.M.
2. The applicant-petitioner No.2 (Faizul) shall not leave the above mentioned place of his stay, without prior intimation to the Station House Officer (SHO) of the above mentioned Police Station and whenever he is required to visit the hospital, he must intimate to the Police Station at least 24 hours in advance.
3. The applicant-petitioner No.2 shall also furnish a bail bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with one surety of the like amount to the satisfaction of the 6<sup>th</sup> Additional District & Sessions Judge, Muzaffarnagar.

Cr1.M.P.No.1292/2015 stands disposed of accordingly.

[O.P. SHARMA]  
COURT MASTER

[INDU BALA KAPUR]  
COURT MASTER