



ITEM NO.47

COURT NO.5

SECTION II

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

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 10233/2022

[Arising out of impugned final judgment and order dated 14-03-2022 in CRLA No. 5753/2010 passed by the High Court of Judicature at Allahabad]

AWADESH KUMAR

Petitioner(s)

VERSUS

STATE OF U.P. & ANR.

Respondent(s)

(IA No. 57347/2023 - APPLICATION FOR PERMISSION
IA No. 82200/2022 - EXEMPTION FROM FILING O.T.)

WITH SLP(Cr1) No. 12299/2023
(FOR ADMISSION and I.R. and IA No.173620/2023-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.173622/2023-EXEMPTION FROM
FILING O.T.)

Date : 02-01-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Vishwajit Singh, Sr. Adv.
Mr. Niranjana Sahu, AOR

For Respondent(s)

Ms. Rajdeepa Baruha, Sr. Adv.
Mrs. Shweta Yadav, Adv.
Ms. Sakshi Kakkar, AOR

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

Applications for exemption from filing a certified
copy of the impugned judgment and exemption from filing
official translation are allowed.

SLP(Criminal)No.10233 of 2022

Leave granted.

Heard the learned senior counsel appearing for the parties on the prayer for interim relief.

Considering the limited role ascribed by the prosecution witnesses PW-1 and PW-2 to the appellant and considering the fact that he has undergone actual incarceration for a period of 5 years and 1 month, a case is made out for grant of suspension of sentence and bail.

For that purpose, the appellant shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellant on bail on appropriate terms and conditions till the final disposal of the present appeal.

The prayer for interim relief is disposed of accordingly.

SLP(Criminal)No. 12299 of 2023

Leave granted.

The appellant has been granted the benefit of permanent remission. Hence, there is no question of grant of any interim relief.

The Registry to call for the soft copy of the Trial Court record and provide the copies thereof to the learned counsel representing the appellants in both the appeals. The learned counsel appearing for the appellants to file a compilation of notes of evidence and other relevant documents within a period of six months from today.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER