

ITEM NO.41

COURT NO.9

SECTION II

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).28220/2023

(Arising out of impugned final judgment and order dated 05-01-2023 in CRLA No. 5534/2008 passed by the High Court Of Judicature At Allahabad)

KALLU ALIAS ARUN

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.145061/2023-CONDONATION OF DELAY IN FILING and IA No.143953/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.143955/2023-EXEMPTION FROM FILING O.T.)

Date : 04-08-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Lokpal Singh, Sr. Adv.
Mr. Saifali Singh, Adv.
Mr. Shashank Gusain, Adv.
Mr. Rishi Kapoor, AOR

For Respondent(s)

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

Delay condoned.

2. Heard Mr. Lokpal Singh, learned counsel appearing for the petitioner.

3. The counsel would refer to the evidence of the Doctor (PW-9) who conducted the post mortem to point out that the cause of death is not attributed to any firearm injury.

Importantly, the petitioner is exonerated of the charge under Section 25 of the Arms Act.

4. The petitioner is in actual custody for over 14 years as can be seen from the custody certificate dated 03.07.2023 issued by the Central Prison, Bareilly, Uttar Pradesh.

5. Issue notice on the Special Leave Petition as also on the prayer for interim relief, returnable in four weeks.

[DEEPAK JOSHI]
COURT MASTER

[KAMLESH RAWAT]
ASSISTANT REGISTRAR