

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 10476/2023

(Arising out of impugned final judgment and order dated 20-04-2023 in CR MBA No. 14178/2022 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

JAIKI SINGH

Petitioner(s)

VERSUS

SHRAWAN SHARMA & ANR.

Respondent(s)

(IA No. 148313/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 148317/2023 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 10477/2023 (II)

(IA No. 155494/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 155495/2023 - EXEMPTION FROM FILING O.T.)

SLP(Crl) No. 13625/2023 (II)

(IA No. 205264/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 205266/2023 - EXEMPTION FROM FILING O.T.)

Date : 08-07-2024 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. Sandeep Sudhakar Deshmukh, AOR
Mr. Nishant Sharma, Adv.

For Respondent(s) Mr. Shaurya Sahay, AOR
Mr. Shobhit Dwivedi, Adv.
Mr. Dhawal Uniyal, Adv.
Mr. Manish Kumar, Adv.
Mr. Vikas Bansal, Adv.

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

We have perused the counter affidavit filed by the State of Uttar Pradesh (second respondent).

The impugned orders in the Special Leave Petitions granting

bail are of 20th April, 2023, 16th March, 2023 and 7th July, 2023 respectively. It is not the case of the second respondent-State that the first respondent, namely, Shrawan Sharma, Kamla Devi and Chandra Prakash, in these Special Leave Petitions respectively, have misused the facility of bail. The trial has not commenced. Hence, at this stage, no case is made out to interfere with the impugned orders granting bail to the aforesaid respondents. The Special Leave Petitions are dismissed. Needless to add that in case the aforesaid respondents misuse the facility of bail, it will be always open for the petitioner or the second respondent-State to apply for cancellation of bail.

Before we part with this order, we may note that there is a growing tendency to plead law in the counter affidavits and to quote the decisions of this Court. It is elementary that law need not be pleaded in the pleadings. A counter affidavit should not be made bulky and lengthy by quoting decisions of this Court. We hope and trust that the State Government will take notice of this observation.

Pending applications stand disposed of accordingly.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)