



ITEM NO.49

COURT NO.7

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 for Special Leave to Appeal (Crl.) No. 1761/2023

(Arising out of impugned final judgment and order dated 05-12-2022 in CRMWP No. 18652/2022 passed by the High Court Of Judicature At Allahabad)

DANISH

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.26418/2023-EXEMPTION FROM FILING O.T. and IA No.26417/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 20-03-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Ms. Preetika Dwivedi, AOR

For Respondent(s)

Mr. Sarvesh Singh Baghel, AOR
Mr. Vikas Bansal, Adv.
Ms. Shweta Yadav, Adv.

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

In view of the letter circulated on behalf of respondent Nos. 1 to 3 seeking adjournment, re-list in the month of August 2023.

The interim order passed on 13.02.2023 should not be read as a direction to the State of Uttar Pradesh to arrest the petitioner. The object and purpose of the said order is that in the event the SHO/Investigating Officer is of the opinion that the petitioner should be arrested, he shall enlarge the petitioner on bail on

terms and conditions fixed by the trial Court. This interim order dated 13.02.2023 will continue to operate till the next date of hearing.

In case the SHO/Investigating Officer requires the presence of the petitioner for interrogation, a notice under Section 41A of the Code of Criminal Procedure, 1973 will be issued. However, as directed above, the petitioner would not be arrested.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)