

Kapil Tiwari vs The State Of Uttar Pradesh on 30 January, 2020

Bench: L. Nageswara Rao, Deepak Gupta

1

ITEM NO.3

COURT NO.9

SECTION I

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (Crl.)

No(s).

(Arising out of impugned final judgment and order dated 05-12-2019 in CRMB No. 4085/2019 passed by the High Court Of Judicature At Allahabad)

KAPIL TIWARI

Petitio

VERSUS

THE STATE OF UTTAR PRADESH

Respond

(FOR ADMISSION and I.R. and IA No.12844/2020-EXEMPTION FROM FILING O.T.)

Date : 30-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)

Mr. Vishwajit Singh, Adv.
Mr. Pankaj Singh, Adv.
Mr. Vignesh Singh, Adv.
Ms. Ridhima Singh, Adv.
M/S. Vidhi International, AOR

For Respondent(s)

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

The Petitioner is an accused in Crime No.300/2007 Police Station Dibiyapur, District Auraiya registered under Sections 147, 148, 149, 307 and 302 IPC. The application filed by the Petitioner for bail has been rejected by the High Court of 11:24:51 IST Reason: Judicature at Allahabad. Aggrieved thereby this Special Leave Petition has been filed.

Mr. Vishwajit Singh, learned counsel for the Petitioner submits that by an Order dated 19.11.2013, in Application Nos.41464/2013 and 12176/2013, the High Court stayed further proceedings of S.T. No.53/12 arising out of Case Crime No. 300/2007. He submits that the said applications are still pending in the High Court and because of the order staying the proceedings, the trial has not commenced.

By an order dated 11.9.2019, in SLP (Crl.) Nos.7581- 84/2017 titled “Ram Swaroop Pathak vs. State of U.P. & Anr. Etc.”, this Court requested the High Court to dispose of Application Nos.41464/2013 and 12176/2013 within two months. After taking note of the fact that the trial has been stayed, copy of the order was directed to be sent to the Registrar General, High Court of Allahabad.

We reiterate the request made on 11.9.2019 and the Registrar General of the High Court of Allahabad shall place this Order before the Chief Justice of the High Court who is requested to ensure that the Application Nos.41464/2013 and 12176/2013 are decided expeditiously.

List after six weeks.

(GEETA AHUJA)
COURT MASTER (SH)

(ANAND PRAKASH)
BRANCH OFFICER