

The State Of Uttar Pradesh vs Rahul Yadav on 17 September, 2021

Bench: Chief Justice, Surya Kant, Hima Kohli

1

ITEM NO.15

Court 1 (Video Conferencing)

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

I N D I A

Petition for Special Leave to Appeal (Crl.)

No.6740/

(Arising out of impugned final judgment and order dated 27-08-2021 in HCWP No. 399/2021 passed by the High Court of Judicature at Allahabad)

THE STATE OF UTTAR PRADESH & ORS.

Petitio

VERSUS

RAHUL YADAV

Respond

(FOR ADMISSION and I.R. and IA No.111894/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.111895/2021-EXEMPTION FROM FILING O.T.)

Date : 17-09-2021 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Ms. Aishwarya Bhati, ASG, UP
Mr. Vishnu Shankar Jain, AOR
Ms. Marbiang N. Khongwir, Adv.

For Respondent(s)

Mr. Ashok Kumar Sharma, Sr. Adv.
Mr. Kamal Pundir, Adv.
Mr. Anil Kumar Sharma, Adv.
Mr. Pramod Tiwari, Adv.
Mr. Vivek Tiwari, Adv.
Ms. Priyanka Dubey, Adv.
Dr. Vinod Kumar Tewari, AOR

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

The Court is convened through Video Conferencing.

Heard learned Additional Solicitor General appearing for the State of U.P. and carefully perused the material available on record.

During the course of hearing, Ms. Aishwarya Bhati, learned Additional Solicitor General appearing for the State of U.P. submits that after filing of this Special Leave Petition, subsequent developments have taken place and the High Court of Judicature at Allahabad has passed Orders dated 13⁰⁹ 2021, 14⁰⁹ 2021, 15⁰⁹ 2021 in the Habeas Corpus Writ Petition. Learned Additional Solicitor General has filed additional documents in the Court today which are taken on record. Para 11 of the said additional documents refer to the High Court's Order dated 13⁰⁹ 2021 which reads as follows: "In the present habeas corpus writ petition our primary concern is only with respect to the production of the corpus, namely, Ram Lal Yadav, who has undisputedly admitted in T.B. Sapru Hospital, Prayagraj and no information is available with regard to him since 08.05.2021. So far as certain observations made in the body of the order dated 27.08.2021 regarding available/required medical equipments, CCTV cameras etc. as per standard and norms of the State Government in various hospitals including the hospital in question and uniform SOP for Government Hospitals is concerned, that is not our primacy concern in this writ petition. Therefore, we leave it to the State Government either to disclose these figures before this Court or not as it may think appropriate in its wisdom." In view of the clarification made by the High Court regarding scope of pending proceedings, the State of U.P. is now not pressing this Special Leave Petition and seeks permission to withdraw the same.

In view of the above, the Special Leave Petition is dismissed as withdrawn.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

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