

Allahabad High Court

Shippu Singh @ Shyam Pal Singh & ... vs State Of U.P. on 19 July, 2010

Court No. - 50

Case :- CRIMINAL REVISION No. - 2715 of 2010

Petitioner :- Shippu Singh @ Shyam Pal Singh & Another

Respondent :- State Of U.P.

Petitioner Counsel :- Radhey Shyam Shukla

Respondent Counsel :- Govt. Advocate

Hon'ble Ashok Kumar Roopanwal, J.

It has been argued by Mr. Radhey Shyam Shukla, learned counsel for the revisionists that the trial court had acquitted the revisionists while that order was reversed by the appellate court in the appeal. According to him, the conviction was based solely on the testimony of one alleged eye witness. He further argued that to record conviction on the sole testimony of a witness the witness must be wholly reliable and there should not be even a single hole in his statement. According to him, the statement of the witness, if read in totality, cannot be said to be the statement of the wholly reliable witness and thus, the revision is liable to be admitted.

Admit.

Summon the record.

List after summoning of the record.

Till further orders of this court, the Revisionists are, hereby, directed to be released on bail on their each executing a personal bond of Rs.10,000/- and two sureties each in the like amount to the satisfaction of the trial Court concerned. The fine which still remains to be paid is also stayed.

Order Date :- 19.7.2010 T. Sinha