

ITEM NO.22

Virtual Court 5

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(s) for Special Leave to Appeal (Crl.) No(s). 2188/2020

(Arising out of impugned final judgment and order dated 12-02-2020 in A482 No. 15214/2019 passed by the High Court Of Judicature At Allahabad)

DEEPAK SHARMA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(FOR I.R. and IA No.43554/2020-EXEMPTION FROM FILING O.T.)

Date : 11-06-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s)

Mr. Vijay Kumar Shukla, Adv.
Mr. Varinder Kumar Sharma, AOR

For Respondent(s)

Mr. Rakesh Kailash Sharma, Adv.
Dr. Sumant Bharadwaj, Adv.
Mr. Vedant Bharadwaj, Adv.
Ms. Mridula Ray Bharadwaj, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

This special leave petition has been filed against the order dated 12.02.2020 passed by the High Court, by which the application under Section 482, CrPC being case No. 15214/2019 has been disposed of. In para 3 of the order, the following has been recorded:

After advancing certain arguments at length by the learned counsel for the applicant when the Court put certain query to him, he gave up his challenge to the aforesaid impugned charge sheet dated 04.02.2019

against the applicant and confined his submission requesting to grant some protection to the applicant to surrender before the concerned court below. Learned counsel for the applicant further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application of the applicant expeditiously in accordance with law.

Learned counsel for the petitioner contends that he had never given up the challenge to the charge sheet before the learned Single Judge.

In view of the fact that the petitioner is disputing the observations made in para 3 of the judgment, it is open for the petitioner to make an appropriate application under Section 482 CrPC for recalling the observations made in para 3 of the impugned judgment and to pass orders as may be deemed fit and proper.

The special leave petition is dismissed with aforesaid liberty.

(MEENAKSHI KOHLI)
AR-CUM-PS

(RENU KAPOOR)
COURT MASTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 2188/2020

(Arising out of impugned final judgment and order dated 12-02-2020 in A482 No. 15214/2019 passed by the High Court Of Judicature At Allahabad)

DEEPAK SHARMA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR. Respondent(s)
(FOR I.R. and IA No.43554/2020-EXEMPTION FROM FILING O.T.)

Date : 11-06-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Rakesh Kailash Sharma, Adv.
Dr. Sumant Bharadwaj, Adv.
Mr. Vedant Bharadwaj, Adv.
Mr. Varinder Kumar Sharma, AOR

For Respondent(s) Ms. Mridula Ray Bharadwaj, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

This special leave petition has been filed against the order dated 12.02.2020 passed by the High Court, by which the application under Section 482, CrPC being case No. 15214/2019 has been disposed of. In para 3 of the order, the following has been recorded:

After advancing certain arguments at length by the learned counsel for the applicant when the Court put certain query to him, he gave up his challenge to the aforesaid impugned charge sheet dated 04.02.2019 against the applicant and confined his submission requesting to grant some protection to the applicant to surrender before the concerned court below. Learned

counsel for the applicant further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application of the applicant expeditiously in accordance with law.

Learned counsel for the petitioner contends that he had never given up the challenge to the charge sheet before the learned Single Judge.

In view of the fact that the petitioner is disputing the observations made in para 3 of the judgment, it is open for the petitioner to make an appropriate application under Section 482 CrPC for recalling the observations made in para 3 of the impugned judgment and to pass orders as may be deemed fit and proper.

The special leave petition is dismissed with aforesaid liberty.

(MEENAKSHI KOHLI)
AR-CUM-PS

(RENU KAPOOR)
COURT MASTER