



ITEM NO.6

COURT NO.4

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 7203/2023

(Arising out of impugned final judgment and order dated 06-12-2022 in CRMA No. 44253/2022 passed by the High Court Of Judicature At Allahabad)

SAJID

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(IA No. 99625/2023 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No. 7023/2023 (II)

(IA No. 110859/2023 - EXEMPTION FROM FILING O.T., IA No. 110858/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 31-07-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR  
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s)

Ms. Mayuri Raghuvanshi, AOR  
Mr. Vyom Raghuvanshi, Adv.  
Ms. Akanksha Rathore, Adv.

Ms. Shreenidhi Singh, Adv.  
Mr. Akhil Sharma, Adv.  
Mr. Ankur Yadav, AOR

For Respondent(s)

Mr. R.k. Raizada, Sr. A.A.G.  
Mr. Sarvesh Singh Baghel, AOR

Mr. Satyam Pandey, Adv.  
Mr. Vikas Bansal, Adv.  
Mr. Arun Pratap Singh Rajawat, Adv.

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

1. These are the petitions seeking bail.
2. Learned counsel for the respondent/State vehemently opposes these petitions.
3. However, we have perused the orders passed by the another learned Judge of the very same High Court, wherein co-accused has been already released on bail.
4. Though vide order dated 06.12.2022, the High Court has directed that the trial be concluded within three months but a period of almost eight months has lapsed thereafter, trial has not been concluded.
5. In that view of the matter and on the ground of parity, we are inclined to grant bail to the petitioners.
6. The petitioners are, therefore, directed to be released on bail in connection with FIR No.93/2017 registered with P.S. Kharkhuda, to the satisfaction of the Trial Court.
7. We have come across various matters from the High Court of Allahabad, wherein matters arising out of the same FIR are placed before different Judges. This leads to anomalous situation. Inasmuch as some of the learned Judges grant bail and some other Judges refuse to grant bail, even when the role

attributed to the applicants is almost similar.

8. We find that it will be appropriate that all the matters pertaining to one FIR are listed before the same Judge so that there is consistency in the orders passed.

9. The Registrar (Judicial) of the Registry of this Court is directed to communicate this order to the Registrar (Judicial) of the High Court of Allahabad, who is directed to place the same before the Hon'ble the Chief Justice of High Court of Judicature at Allahabad for his consideration.

10. The special leave petitions are, accordingly, disposed of.

11. Pending application(s), if any, shall stand disposed of.

(DEEPAK SINGH)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR