

ITEM NO.52

COURT NO.3

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No. 35043/2023

(Arising out of impugned final judgment and order dated 12-01-2023 in CRLA No. 1254/2018 passed by the High Court of Judicature at Allahabad)

PRADEEP GOSWAMI

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.184252/2023-CONDONATION OF DELAY IN FILING and IA No.184253/2023-EXEMPTION FROM FILING O.T.)

Date : 18-09-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Gaurav Agarwal, Adv.
Mr. Pawan Kumar Shukla, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mrs. Pragya Verma, Adv.
Mrs. Shristhi Gupta, Adv.
Mr. Raj Singh Rana, AOR

For Respondent(s)

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

Delay condoned.

We are not inclined to interfere with the impugned judgment, as the learned counsel for the petitioner was not ready to argue the appeal before the High Court.

We have noticed this trend in several cases/orders, that are made subject matter of challenge before this Court. Learned counsel, it appears, press for hearing of the application for

suspension of sentence/bail, but want to avoid arguing the main appeal on merits. Learned counsel should be willing and ready to argue the appeal on merits, especially in cases where the appellant/accused have suffered incarceration for some years.

We request the High Court to take up Criminal Appeal no. 1254/2018 filed by the petitioner and other co-accused for hearing. Learned counsel for the appellant - accused and State should be ready for arguments on the appeal.

Recording the aforesaid, the special leave petition is dismissed.

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

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR