

ITEM NO.1

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 (CrI.) No(s).7857/2022

(Arising out of impugned final judgment and order dated 26-07-2022 in CRMBA No.13762/2021 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow)

ASHISH MISHRA ALIAS MONU

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(COMPLIANCE REPORT RECEIVED

IA No.167449/2022 - APPLICATION FOR PERMISSION

IA No.164803/2022 - EXEMPTION FROM FILING O.T.

IA No.152757/2022 - EXEMPTION FROM FILING O.T.

IA No.127590/2022 - EXEMPTION FROM FILING O.T.

IA No.122127/2022 - EXEMPTION FROM FILING O.T.

IA No.122135/2022 - INTERVENTION/IMPLEADMENT

IA No.187341/2023 - MODIFICATION OF COURT ORDER

IA No.127589/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 122134/2022 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 22-04-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv.  
Mr. Pankaj Sharma, Adv.  
Mr. Ashutosh Kumar Sharma, AOR  
Mr. Abdhesh Chaudhary, Adv.  
Ms. Ayushi Mittal, Adv.  
Ms. Vidhi Thakkar, Adv.  
Mr. Anshul Rajora, Adv.  
Mr. Kshitij Mudgal, Adv.

For Respondent(s) Mr. Prashant Bhushan, AOR  
Mr. Rahul Gupta, Adv.  
  
Ms. Garima Prashad, Sr. A.A.G.  
Ms. Ruchira Goel, AOR  
Mr. Adit Jayeshbhai Shah, Adv.

UPON hearing the counsel the Court made the following

**O R D E R**

1. The Report dated 20.03.2024 sent by the Presiding Officer-cum-Ist Addl.District & Sessions Judge, Lakhimpur-Kheri, Uttar Pradesh is perused. The same has been perused by us. We find from the Report that it was a difficult task for the Trial Court to record the statements of Baljindar Singh and Tejendra Singh Virk, as both the witnesses initially expressed their unwillingness to depose due to ill-health and, thereafter, counsel for the parties, including the Public Prosecutor, seemingly did not cooperate with the Trial Court. However, their statements have been eventually recorded. We are informed by Mr. Siddhartha Dave, learned Senior Counsel for the petitioner that an application under Section 311 Cr.P.C., referred to by the Presiding Officer in the above-mentioned Report, was also allowed and the cross-examination of Tejendra Singh Virk stands concluded.

2. It seems that the Public Prosecutor and the local police need to take more effective steps to ensure the presence of the witnesses so that the Trial Court's time is not wasted. In this regard, the Registry is directed to supply a soft copy of the Report dated 20.03.2024 to Ms. Garima Prashad, Sr. Additional Advocate General for necessary action.

3. Post the matter for hearing on 22.07.2024.

4. Interim directions to continue, meanwhile.

(SATISH KUMAR YADAV)  
ADDITIONAL REGISTRAR

(PREETHI T.C.)  
COURT MASTER (NSH)