

ITEM NO.15

Court No. 4
(Hearing through Video Conferencing)

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 (Crl.) No. 3032/2020

(Arising out of impugned final judgment and order dated 28-02-2020 in CRMA No. 9440/2020 passed by the High Court of Judicature at Allahabad)

FARAZ

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(With IA No. 60267/2020 - EXEMPTION FROM FILING O.T. and IA No. 60268/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 05-08-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Dr. Menaka Guruswamy, Sr. Adv.
Mr. Fuzail Ahmad Ayyubi, AOR
Ms. Surabhi Dhar, Adv.
Mr. Ibad Mushtaq, Adv.

For Respondent(s)

Mr. Vishnu Shankar Jain, AOR
Mr. Chanakya Gupta, Adv.

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

The petitioner is accused No. 2 in an incident which occurred in Firozabad in 2019.

Accused Nos. 1 and 2 are stated to be on par in the FIR itself inasmuch as pistols, including bullets, were recovered from both of them. We find that accused No. 1 has

been given bail by order dated 29.01.2020. It was, however, pointed out by the learned counsel for the State that accused No. 1 stood at a different footing because he was suffering from cancer. We find, on a perusal of the order, that accused No.1 was given bail for various reasons; it was also stated that he was suffering from cancer.

According to us, therefore, this is a distinction without a difference. Accordingly, we grant bail to the petitioner, subject to the conditions to be laid down by the trial Court.

The special leave petition stands disposed of.

Pending applications stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER