

ITEM NO.23

COURT NO.7

SECTION II-B

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 31627/2022

(Arising out of impugned final judgment and order dated 05-03-2022 in BA No. 1/2021 & 26-08-2022 in SBA(IA) No. 5/2022 passed by the High Court Of Uttarakhand At Nainital)

GULZAR

Petitioner(s)

VERSUS

THE STATE OF UTTARAKHAND

Respondent(s)

(FOR ADMISSION and I.R. and IA No.153821/2022-CONDONATION OF DELAY IN FILING and IA No.153826/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.153824/2022-EXEMPTION FROM FILING O.T.)

Date : 04-11-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Yunus Malik, Adv.
Ms. Saroj Bala, Adv.
Ms. Shubhangi Srivastava, Adv.
Mr. Aman Malik , AOR

For Respondent(s)

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

Delay condoned.

Learned counsel for the petitioner submits that the petitioner has been convicted under Sections 363 and 366A of IPC and sentenced five years and he has undergone one year sentence and when appeal preferred by him will be heard on merits is not in his domain and in the given facts and circumstances seeks indulgence of this Court for grant of suspension of sentence pending appeal before the High

Court.

Issue notice, returnable on 02.12.2022.

Dasti, in addition, is permitted.

Let the standing counsel for the State be served in addition.

**(MONIKA DEY)
COURT MASTER (NSH)**

**(ASHWANI KUMAR)
ASTT. REGISTRAR-cum-PS**