

Court No. - 29

Case :- BAIL No. - 2782 of 2021

Applicant :- Sonu Singh

Opposite Party :- State Of U.P. And Anr.

Counsel for Applicant :- Naved Ali, Varun Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Mohd. Faiz Alam Khan, J.

Heard learned counsel for the applicant and Shri Alok Saran, learned AGA for the State as well as perused the record.

While referring to the order dated 25.6.2020 passed in Bail No., 4018 of 2020 and order dated 11.1.2021 passed in Criminal Misc. Bail Application No. 45784 of 2020 by learned Single Judges at Lucknow and at Allahabad, respectively, it has been submitted on behalf of the applicant that time line which has been provided in para 69 of the order of learned Single Judge passed at Allahabad on 11.1.2021 be also implemented at Lucknow Bench. Learned counsel for the applicant has made reference to various provisions of Protection of Children from Sexual Offences Act as well as Scheduled Caste / Scheduled Tribe (Prevention of Atrocities) Act to emphasize that guidelines which have been issued by the judgment dated 11.1.2021 are for the convenience of the persons who are detained in prison under offences pertaining to Protection of Children from Sexual Offences Act and Scheduled Caste / Scheduled Tribe (Prevention of Atrocities) Act and the guidelines shall serve to bring uniformity in the time to be consumed in placing bail applications before the Court.

Having heard submissions of learned counsel for applicant, it transpires that the judicial order has been passed by learned Single Judge at Allahabad providing detailed guidelines and time line for placing bail applications before courts pertaining to above mentioned enactments. However, in the considered opinion of this Court, it is the prerogative of Hon'ble the Chief Justice to pass appropriate administrative orders for the purpose of regulating the procedure for placing the files before the courts. Since the instant matter is connected with personal liberty of the applicant, without going deep into the applicability of guidelines as described in para 69 of the order dated 11.1.2021, it is observed that on the judgement dated 11.1.2021 passed in Criminal Misc. Bail Application No. 45784 of 2020 being placed before Hon'ble the Chief Justice adequate administrative orders in this regard may be passed by his Lordship.

For now issue notice to opposite party no.2 returnable within two weeks from today to be served through Chief Judicial Magistrate, Kheri in the manner that identity of opposite party no.2 shall not be placed in public domain.

Steps in this regard be taken by learned counsel for the applicant within two working days from today.

List on 2.4.2021. In the meantime, learned AGA may also file counter affidavit/ objection pertaining to prayer of bail of the applicant.

Order Date :- 10.3.2021

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