

CASE NO.:  
Appeal (crl.) 449 of 2008

PETITIONER:  
SANJAI AND ORS

RESPONDENT:  
STATE OF U.P. AND ANR

DATE OF JUDGMENT: 03/03/2008

BENCH:  
S.B. SINHA & V.S. SIRPURKAR

JUDGMENT:  
JUDGMENT  
O R D E R

CRIMINAL APPEAL NO. 449 OF 2008  
[Arising out of SLP(Crl.) No.2942/2007]

Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that as no charge-sheet has been filed as against appellant Nos. 2 to 4, the impugned judgment cannot be sustained which is set aside accordingly. The criminal miscellaneous application filed by the said appellants for quashing the proceedings in Case Crime No. 73/03, is allowed.

The appeal is disposed of with the aforementioned direction.