

SUPREME COURT OF INDIA

Sanjai & Ors.

Vs.

State of U.P. & Anr.

Crl.A.No.449 of 2008

(S.B.Sinha and V.S.Sirpurkar,JJ.)

03.03. 2008

ORDER

[Arising out of SLP(Crl.) No.2942/2007]

1. Leave granted.
2. 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.
3. The appeal is disposed of with the aforementioned direction.