**OFFICE OF THE DISTRICT JUDGE, PRAYAGRAJ.**

**Admin. Order No.** 361 **Dated : May** 26 **2025**

**ORDER**

While enclosing pdf copy of **Order/Judgement dt. 03.1.2025** passed by **Hon'ble High Court** in **Criminal Appeal No. 5764 of 2024 (Mohd. Iftikhar Vs. State of U.P.),** vide Hon'ble High Court's **C.L. No. 15/Admin G-II/Allahabad Dt.23.05.2025**, it has been communicated that during course of hearing aforesaid Criminal Appeal, Hon'ble High Court has noticed that the trial court while citing the judgements passed by Hon'ble Supreme Court, has mentioned the name of Hon'ble Judges of the Hon'ble Supreme Court and basic details thereof are missing. In view of the above Hon'ble Court has expressed its displeasure over the aforesaid fact and iterated that the **mentioning of names of the Hon'ble Judges who dealt with the case and delivered the judgement is totally uncalled for and can not be accepted at all**. Accordingly, this Hon'ble Court has been pleased to pass the direction for **trial courts to ensure that names of Hon'ble Judges are not mentioned while giving details of the judgements relied upon by parties and the relevant details of the judgements cited are indicated as per settled practice**.

In order to ensure compliance of the aforesaid direction, the pdf copy of aforesaid order dt. 03.01.2025, passed by Hon'ble High Court has been provided to this end with instruction to communicate the directions issued by Hon'ble Court to all the Judicial Officers of Prayagraj Judgeship and ensure strict compliance of the same, by all the concerned, in letter and spirit.

**2.** In compliance of aforesaid directions of Hon'ble Court in letter and spirit, following Order is being passed with immediate effect :

(i) The System Officer is directed to provide pdf copy of **Order/Judgement dt. 03.1.2025** passed by **Hon'ble High Court** in **Criminal Appeal No. 5764 of 2024 (Mohd. Iftikhar Vs. State of U.P.)**, along with soft copy of Hon'ble High Court's **C.L. No. 15/ Admin G-II/Allahabad Dt.23.05.2025** to all the Judicial Officers of Prayagraj Judgeship **for ensuring strict compliance of Hon'ble High Court's above direction, in its exactness.**

(ii) A hard-copy of **Order/Judgement dt. 03.1.2025** passed by **Hon'ble High Court** in **Criminal Appeal No. 5764 of 2024 (Mohd. Iftikhar Vs. State of U.P.)**, along with soft copy of Hon'ble High Court's **C.L. No. 15/ Admin G-II/Allahabad Dt.23.05.2025** be also circulated among all the Judicial Officers of Prayagraj Judgeship, for ensuring strict compliance of Hon'ble Court's above direction, in letter and spirit, without any slippage.

Inform all concerned.

**(Sanjiv Kumar)**
District Judge,
Prayagraj.

**Dated :** May , 2025

HIGH COURT AT ALLAHABAD

Through Email

From,

**Rajeev Bharti, H.J.S.**
Registrar General
High Court of Judicature at
Allahabad

To,

**All the District and Sessions Judges/OSD**
**All the Principal Judges, Family Courts**
**All the Presiding Officers of Commercial Courts, MACTs & LARRAs**
State of Uttar Pradesh

**C.L. No.** 15 **/Admin. G-II/Allahabad** **Dated:** 23/05/ **2025**

**Sub: Circulation of Judgement dated 03.01.2025 passed by this Hon'ble Court in Criminal Appeal No. 5764 of 2024** (***Mohd. Iftikhar Vs. State of UP***).

**Madam/Sir,**

During course of hearing aforesaid Criminal Appeal (**pdf copy enclosed**), this Hon'ble Court has noticed that the trial court while citing the judgements passed by Hon'ble Supreme Court, has mentioned the name of Hon'ble Judges of the Hon'ble Supreme Court and basic details thereof are missing.

Therefore, Hon'ble Court has expressed its displeasure over the aforesaid fact and iterated that the **mentioning of names of the Hon'ble Judges who dealt with the case and delivered the judgement is totally uncalled for and can not be accepted at all**.

Accordingly, this Hon'ble Court has been pleased to pass the direction for trial courts **to ensure that names of Hon'ble Judges are not mentioned while giving details of the judgements relied upon by parties and the relevant details of the judgements cited are indicated as per settled practice.**

You are, therefore, requested to communicate the abovementioned direction issued by this Hon'ble Court vide order/judgement dated **03.01.2025** to all the Judicial Officers of your Judgeships and ensure strict compliance of the same by all concerned, in letter and spirit.

With Regards,

**Encl:- As above**

**Yours faithfully,**

23/5/25

**Registrar General**

**Court No. - 78**

**Case :-** CRIMINAL APPEAL No. - 5764 of 2024

**Appellant :-** Mohd. Iftikhar
**Respondent :-** State of U.P.
**Counsel for Appellant :-** Ajay Kumar Sharma,Ashfaq Ahmed Ansari,Atul Sharma
**Counsel for Respondent :-** G.A.

**Hon'ble Samit Gopal,J.**

**Order on Criminal Misc. Suspension of Sentence Application No. 01 of 2024**

1. Heard Sri Atul Sharma, learned counsel for the appellant and Sri Ajay Singh, learned A.G.A.-I for the State and perused the material on record.

2. The trial court records have been received which have also been perused.

3. This appeal has been filed against the judgement and order dated 23.05.2024 passed by the Additional Sessions Judge (Prevention of Corruption Act), Court No.1, Bareilly in Special Case No. 05 of 2020 (State vs. Mohd. Iftikhar) arising out of Case Crime No. 275 of 2020, under Section 7 of Prevention of Corruption Act, 1988, Police Station Aanwala, District Bareilly, convicting and sentencing the appellant under Section 7 of Prevention of Corruption Act, 1988 for 06 years rigorous imprisonment & fine of Rs. 50,000/- and in default of payment of fine to further undergo 01 year additional imprisonment.

4. Learned counsel for the appellant submits that the appellant was on bail during trial and has not misused the liberty of bail. It is submitted that the trial court has not relied upon the defence version of the appellant in as much as Jhamman Lal D.W.-1 was produced before it and was not believed and even the documents in defence were not considered in their true prospective. The appellant has no criminal history as stated in para 11 of the affidavit. It is further submitted that the appellant is aged about 65 years and has superannuated from his service on 31.01.2021.

5. Learned counsel for the appellant submits that some time may be granted to him to inspect the trial court record and prepare the matter for final hearing since he is interested in getting the appeal decided.

6. The prayer appears to be reasonable.

7. Looking to the facts of the case, the application for suspension of sentence is allowed.

8. Let the appellant- **Mohd. Iftikhar**, be released on bail in the aforesaid case on his executing a personal bond and two sureties each in the like amount to the

satisfaction of the court concerned.

9. On acceptance of bail bond and personal bond, the lower court concerned shall transmit the photostat copies thereof to this Court for being kept on the record.

10. It is clarified that realization of fine is not stayed.

**Order on Appeal**

1. Let the matter be listed on 04th March, 2025 for final hearing.

2. This Court while perusing the impugned judgement & order has come across paragraph 24 at page 38 & 39 and paragraph 30 at page 43 of the same which refers to three judgements of the Apex Court filed by the defence and relied by them in their support.

3. The trial court while referring to the said judgements has mentioned the citation of the same and then the name of the Hon'ble Judges of the Apex Court delivering the judgements, the details (Case No.) and the date of the judgement in all the three cases. The same is for the first time mentioned in paragraph 24 and then repeated in paragraph 30 of the said judgement & order. The mentioning of names of the Hon'ble Judges who dealt with the case and delivered the judgement is totally uncalled for. The reference of the cases as given therein does not show the party names of the matters which were relevant to have been mentioned therein but to the contrary the names of the Hon'ble Judges have been mentioned which cannot be accepted at all.

4. The Registrar General of this Court is directed to issue appropriate circulars and directions to the trial courts to ensure that the names of the Hon'ble Judges are not mentioned while giving details of the judgements relied upon by parties.

5. The Registrar General shall further intimate the Director, Judicial Training & Research Institute, Lucknow to also take up this issue at his end and include it at the relevant place in the training of the Institute.

6. This order be also communicated to the concerned Trial Court through the District Judge concerned by the Registrar General.

7. The compliance report shall be placed on record by the Registrar General within three weeks.

**Order Date :-** 3.1.2025
AS Rathore

(Samit Gopal,J.)

Digitally signed by :-
ABHISHEK SINGH RATHOR
High Court of Judicature at Allahabad