

ITEM NO.2 Court 7 (Video Conferencing) SECTION II

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

Criminal Appeal No(s). 1069/2018

SUNIL RATHI Appellant(s)

VERSUS

THE STATE OF UTTARAKHAND HOME DEPARTMENT Respondent(s)

(ONLY CRLMP. 48625 and 48627/2021 IN CRL.A. NO. 1071/2018 TO BE LISTED)

WITH

CrI.A. No. 1071/2018 (II)

(IA No. 48627/2021 - EXEMPTION FROM FILING O.T.

IA No. 48625/2021 - EXTENSION OF BAIL)

Date : 19-07-2021 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE HEMANT GUPTA

For Appellant(s) Ms. Preetika Dwivedi, AOR

Mr. P. Narasimhan, AOR

For Respondent(s) Mr. J.K. Sethi, Dy.AG

Dr. Rajiv Nanda, AOR

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

IA No. 48625/2021 - EXTENSION OF BAIL & IA No. 48627/2021 - EXEMPTION FROM FILING O.T.

Application for exemption from filing O.T. is allowed.

We have heard learned counsel for the parties.

It is no doubt true that in view of the surrender of the appellant after a period of two months, the question of extension of bail as such doesn't arise but learned counsel for the appellant submits that the purpose for which bail was granted for medical

treatment of the wife still subsists and further four days ago the father of the appellant passed away and he has young child. She also points out that as per the custody certificate the appellant has been in custody for over eleven years.

In view of all the aforesaid facts and circumstances of the case, we are of the view that there are no aggravating circumstances during this period of time which would disentitle the appellant to bail having already served eleven years of sentence.

We thus, enlarge the appellant on bail subject to the terms and conditions to the satisfaction of the Trial Court.

Application stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)