

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRL.M.P.NO. 7825 OF 2013
IN
CRIMINAL APPEAL NO. 631 OF 2004

RAJ KUMAR Appellant (s)

VERSUS

MUNESH & ANR. Respondent(s)

ORDER

We have heard learned counsel for the applicant (Respondent No. 1 in the Criminal Appeal).

By the order dated 7th July, 2004 passed in Criminal Appeal No. 631 of 2004, while setting aside the order of the High Court granting bail to the applicant, it was directed that the applicant shall remain in custody during the pendency of appeal before the High Court and shall not be released on bail by any Court on any ground whatsoever.

Learned counsel for the applicant submits that the appeal before the High Court has remained pending for seven years and the applicant has already undergone 10 years 7 months imprisonment. He submitted that the aforesaid condition be modified.

We accordingly modify this Court's order dated 7th July, 2004 and direct that in case the applicant moves the High Court for bail during the pendency of appeal, the High Court may consider the same on its own merits.

The order dated 7th July, 2004 is modified accordingly.

The Crl.M.P. No. 7825 of 2013 stands disposed of.

.....J.
(A.K. PATNAIK)

.....J.
(A.K. SIKRI)

NEW DELHI,
APRIL 29, 2013

ITEM NO.2 COURT NO.7 SECTION II

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

CRLMP.NO. 7825/2013 in CRIMINAL APPEAL NO(s). 631 OF 2004

RAJ KUMAR

Appellant (s)

VERSUS

MUNESH & ANR.

Respondent(s)

(With appln(s) for modification of Court's Order and office report)

Date: 29/04/2013 This Crl.M.P. was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE A.K SIKRI

For Appellant(s) None

For Applicant/ Mr. M.C. Dhingra, Adv.

Respondent(s) Mr. Vishal Malik, Adv.

Mr. Sanjay Malik, Adv.

Mr. Baljit Rathi, Adv.

Dr. (Mrs.) Vipin Gupta, Adv.

UPON hearing counsel the Court made the following

O R D E R

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| (G. SUDHAKARA RAO) |
| COURT MASTER |

| | (USHA SHARMA) |
| | COURT MASTER |

(SIGNED ORDER IS PLACED ON THE FILE)