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SLP(Crl.)No. 880 OF 2001

ITEM No.2

Court No. 5

SECTION II
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 880/2001

(From the judgement and order dated 13/02/2001 in DBCBP 3689/00
of The HIGH COURT OF RAJASTHAN AT JODHPUR)

SHARWAN SINGH

Petitioner (s)

VERSUS

STATE OF RAJASTHAN

Respondent (s)

(With Appln(s). for bail and exemption from filing O.T.
and impleading party)

Date : 18/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. B.D. Sharma,Adv.
Mr. Narottam Vyas, Adv.
Mr. SN Tiwari, Adv.

For Respondent (s) Mr. Sushil Kumar Jain,Adv.

For RR 2 Ms. Madhurima Tatia, Adv.
Mr. Indra Makwana,Adv.

UPON hearing counsel the Court made the following

O R D E R

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Application for exemption from filing OT and
impleading party are allowed.

Leave granted.

Appeal disposed of.

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Hemalatha

(HK Bhatia)
Court Master

(Signed order is placed on file)

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.....OF 2001@@
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(Arising from SLP(Crl) No.880 of 2001)

SHARWAN SINGH

..APPELLANT

VS.

STATE OF RAJASTHAN

..RESPONDENT

O R D E R@@
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Leave granted.

We heard learned counsel for the appellant and the respondent State besides learned counsel for the complainant who got himself impleaded in this matter. Appellant was arrested on 5.12.2000 in connection with offences, most serious among them being Section 368 with the help of Section 120-B of the Indian Penal Code. When it is admitted that he has been in jail during all these months, we asked the State as to any danger in releasing the appellant on bail or as to the necessity for keeping him as an undertrial prisoner for any further period. We did not get any satisfactory answer to the said query except saying that appellant, if allowed to be released on bail, is likely to tamper with the evidence. For safeguarding against such possibility some conditions can be imposed and that would be sufficient in the circumstances.

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We, therefore, order the appellant to be released on bail on his executing a bond to the satisfaction of the Chief Judicial Magistrate, Bikaner for such an amount as may be fixed by him with two solvent sureties. We direct the appellant to report to the Police Station Bajju (Bikaner District) on all alternate Mondays between 4.00 P.M. and 6.00 P.M. until further orders. He shall not intimidate or influence the prosecution witnesses for the purpose of tampering with evidence.

Appeal is disposed of accordingly.

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.....J
(K.T. Thomas)

New Delhi
18 April, 2001

.....J
(R.P. Sethi)