

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

Petition(s) for Special Leave to Appeal (Crl.) No. 438/2003  
(From the judgement and order dated 07/01/2003 in WPC 1423/02  
of The HIGH COURT OF DELHI AT N. DELHI)

NARENDERJEET SINGH SAHINI Petitioner (s)

VERSUS

STATE N.C.T. OF DELHI & ANR. Respondent (s)

( With Appln(s). for exemption from filing c/c of the impugned Judgment )  
( For Final Disposal )  
With  
W.P(Crl.)No.45/2003

Date : 17/10/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. K.T.S. Tulsi, Sr. Adv.  
M/s. Vikas Pahwa, Deepak Diwan &  
Mr. Prem Nath Malhotra, Advs.

For Respondent (s) M/s. A.Bhan, R.K. Rathore, S. Pilloria and  
Mrs. Anil Katiyar, Advs.

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

Heard the learned counsel on either side.

The petitioner Narenderjeet Singh Sahini involved himself in nearly 128 cases in various Courts in Delhi and there are about 71 cases in Courts outside Delhi and there are 90 other cases also which are shown as Annexure-C in various Courts outside Delhi. Most of the cases are registered for offences under section 120, IPC and under section 138 of the Negotiable Instrument Act. We are told that the petitioner had been granted bail in various cases but the learned Magistrates before whom the cases are pending, are not releasing the petitioner on bail on the ground that the petitioner is producing a surety who has already been surety in other cases. The counsel for the petitioner submits that the surety produced by the petitioner is solvent enough to be surety in all cases. We do not think that there is any illegality in one surety being surety in another case provided the surety is solvent enough to be bound by the bond executed by him. If a request is made for application for bail, pursuant to the order passed it shall not be rejected merely on the ground that the surety produced by the petitioner is already a surety in another case, but the Magistrate shall satisfy himself that this surety produced is solvent enough for the bond executed by him.

The SLP & WP are disposed of.

( Y.P. Dhamija )  
AR-cum-PS

(Veera Verma )  
Court Master