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ITEM NO.45

COURT NO.8

SECTION II

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 (Cr1) No(s).1999/2013

(From the judgement and order dated 09/11/2012 in BA No.19/2012, of The HIGH COURT OF UTTARAKHAND AT NAINITAL)

KULWANT KUMAR

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND

Respondent(s)

(With appln(s) for exemption from filing O.T.,bail,exemption from filing c/c of the impugned order and office report)

Date: 08/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s)

Ms.Monisha Handa, Adv.

Mr. Mohit D. Ram,Adv.

For Respondent(s)

Mr. Jatinder Kumar Bhatia,Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed order.

|(Shashi Sareen)
| Court Master

|(Veena Khara)
| Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 875 OF 2013
(Arising out of SLP(Cr1.) No. 1999 of 2013)

|KULWANT KUMAR

|...| Appellant(s)

| Versus

|STATE OF UTTARAKHAND

|...| Respondent(s)

O R D E R

Leave granted.

In this case filed under Sections 147, 148, 149, 307, 504, 506, Indian Penal Code, the trial court as also the High Court have declined bail to the appellant. Aggrieved, the appellant has appealed to this court.

We have heard learned counsel for the parties at some length. It is common ground that the dispute leading to the incident in question arose out of partition of joint property between the appellant and his brother who is one of the injured. It is also common ground that the other accused persons have already been enlarged on bail. The appellant has been in custody for the past nearly one year or so. Keeping in view all those circumstances, we are inclined to enlarge the appellant on bail subject to his furnishing bail bonds in a sum of Rs. 20,000/- with two sureties in the like amount to the satisfaction of the trial

court. We order accordingly. The appeal shall stand disposed off on the above terms.

.....J.

(T.S.THAKUR)

.....J.

(JAGDISH SINGH KHEHAR)

New Delhi,
July 08, 2013