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SLP(Crl.)No. 1287-1291 OF 2003
ITEM No.27

Court No. 3

SECTION IIA
A/N MATTER

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. 1287-1291/2003

(From the judgement and order dated 25/03/2003 in CRLA 1052/03, CRLA 1164/2003, 1132/03, CRLA 1134/03, CRLA 1296/03 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

FIROJBHAI RAHIMHUSEN NARSHI & ORS.

Petitioner (s)

VERSUS

STATE OF GUJARAT

Respondent (s)

(With Appln(s). for bail and ex-Parte stay and exemption from filing c/c of the impugned Judgment and permission to place addl. documents on record and urging addl. grounds and exemption from filing O.T. and intervention and office report)

Date : 27/02/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s) Mr. Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool, Adv.

Mr. Ujjawal Desai, Adv.
Mr. Nakul Dewan, Adv.
Mr. Abhimeet Sinha, Adv.
Ms. Minakshi Nag, Adv.
Mr. Gourav Kejriwal, Adv.

For Respondent (s) Mr. Maulik Nanavati, Adv.
Ms. Hemantika Wahi, Adv.

Mr. B.V. Desai, Adv.
Ms. Sumita Hazarika, Adv.

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

Heard learned counsel for the parties.
Leave granted.
The appeals are allowed in terms of the signed order.

(PAWAN KUMAR) (PREM PRAKASH)
COURT MASTER COURT MASTER
(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.296-300 OF 2004
(arising out of SLP(Crl.)No.1287-1291 of 2003)

Firojbhai Rahimhusen Narshi & Ors.

.....Appellants

Versus

O R D E R

Heard learned counsel for the parties.

Leave granted.

We notice from the order of the High Court dated 13th February, 2004 the main accused in this case has since been granted bail upto 18th June, 2004 with a view to make asmuch as recovery possible.

Learned counsel for the appellants in these appeals submits that since the main accused has been released on bail by a consent order of the High Court, the appellants herein also should be given the said benefit. We find no reason why the appellants should not be given the benefit of the said concession given to the first accused. Even though the main accused is released only till 18th of June, 2003. We do not think the said condition should be imposed in this case so far as these appellants are concerned.

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For the reason stated hereinabove the appellants are directed to be enlarged on bail on their furnishing a self bond for a sum of Rs.50,000/- each and a surety each for the like amount subject to the following conditions :

- (i)The appellants shall report to the concerned Investigation Officer or the Court as the case may be as and when required.
- (ii)In addition to the above, the appellants shall report before DCB Police Station, Surat once in a fortnight between 9.00 a.m. and 2.00 p.m.;
- (iii)Not take undue advantage of his liberty or misuse his liberty;
- (iv)Not act in a manner injurious to the interest of the prosecution;
- (v)Surrender the Passport, if any, to the lower court within a week;
- (vi)Any breach of any of the conditions of this order of the undertaking to be filed in terms of the condition contained in para (1) hereinabove shall render the appellants liable for immediate re-arrest and cancellation of bail.

The appeals are allowed.

.....J.
(N. SANTOSH HEGDE)

.....J.
(B.P. SINGH)

NEW DELHI,
FEBRUARY 27, 2004.