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ITEM NO.8

COURT NO.2

SECTION IIB

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(s).2032/2013
(From the judgement and order dated 27/02/2013 in CRLRA No.147/2013,CRLMA
No.3182/2013 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

TRIBHUVANDAS NARANDAS PATEL Petitioner(s)

VERSUS

STATE OF GUJARAT & ANR. Respondent(s)
(With appln(s) for directions and office report)

Date: 09/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Pradhuman Gohil,Adv.
Mr. Vikash Singh,Adv.
Ms. Taruna Singh,Adv.
Ms. Jaikriti S.Jadeja,Adv.

For Respondent(s) Mr. Nikhil Goel,Adv.
R.No.2 Mr. Shivraj Goankar,Adv.
Mr. Marsook Bafaki,Adv.

State Ms. Hemantika Wahi ,Adv
Ms. Nandani Gupta,Adv.

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

Heard learned counsel for the parties.
Leave granted.
The appeal is disposed of in terms of the signed order.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.....OF 2013
(@ SPECIAL LEAVE PETITION (CRL.)NO. 2032 OF 2013)

TRIBHUVANDAS NARANDAS PATEL ... APPELLANT(S)

VERSUS

STATE OF GUJARAT & ANR. ... RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.
Leave granted.
The only grievance of the appellant-accused is that the High
Court while granting interim bail directed him to deposit a sum of Rupees

forty lakhs (Rupees Five lakhs plus Rupees thirty five lakhs). According to the learned counsel appearing on behalf of the appellant, first of all, the condition imposed by the High Court is onerous, and secondly, even the Trial Court while convicting the appellant sentenced him to one year imprisonment and imposed only a fine of Rs. 10,000/- which was affirmed by the Sessions Court. In other words, according to the counsel there is no direction for payment of compensation to the other side. It is also brought to our notice that the appellant is 82 years old and he is a medical practitioner.

In addition to the same, while ordering notice on 12.03.2013, this Court directed the appellant to deposit a sum of Rs. 5,00,000/- (Rupees five lakhs) before the High Court within a period of seven days. Counsel appearing for the appellant has brought to our notice that the said condition has duly been complied with. It is also brought to our notice that in addition to the said amount, a sum of Rs. 2,00,000/- (Rupees two lakhs) has been deposited before the Trial Court. Taking note of the amount involved in the cheque in question, it is to be noted that the appellant has deposited Rs. 7,00,000/- (Rupees seven lakhs).

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It is not in dispute that the main revision filed by the appellant herein is still pending in the High Court. In such circumstances, while setting aside the directions passed in the impugned order, we request the High Court to take up Criminal Revision Application No.147 of 2013 and dispose of the same at an early date after affording opportunity to both the parties.

It is made clear that the amount deposited by the appellant was pursuant to the direction of this Court and without prejudice to his defence before the High Court.

The appeal is disposed of accordingly.

.....J.
[P. SATHASIVAM]

NEW DELHI
9TH JULY, 2013

.....J.
[J.CHELAMESWAR]