

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.542 OF 2021
(Arising out of SLP (CrI.) No.3321 of 2021)

VIPIN KUMAR DUA

...Appellant

VERSUS

UNION TERRITORY OF CHANDIGARH & ANR.

...Respondents

O R D E R

Leave granted.

This appeal challenges the order dated 09.04.2021 passed by the High Court of Punjab & Haryana at Chandigarh in CRM-M No.42110 of 2020 rejecting prayer for release on bail made by the appellant.

The appellant was taken in custody in connection with FIR No.70 dated 29.07.2020 registered with Police Station North, Chandigarh, in respect of offences punishable under Sections 420, 408 read with Section 120B of the Indian Penal Code, 1860.

Prior to above First Information Report, another First Information Report (No.325 of 2020) was lodged in July 2020 with Police Station Karnal City in respect of which the appellant was taken in custody on 10.07.2020 but was granted default bail in terms of Section 167(2) of the Code of

Criminal Procedure, 1973.

Soon after his release, the appellant was taken into custody in the instant matter on 14.09.2020.

The appellant thus had undergone custody of almost nine months before he was released in terms of this Court's order dated 11.05.2021 on interim bail pending consideration of the instant petition.

We have heard Mr. Sunil Fernandes, learned Advocate in support of the petition; Mr. Uday Gupta, learned Advocate for the complainant/respondent no.2; and, Mr. Gurinder Singh Gill, learned Senior Advocate for the Union Territory of Chandigarh.

Without going into the merits or demerits of the contentions touching upon the merits of the matter, in our view, the length of custody undergone by the appellant entitles him to be conferred the benefit of bail.

In the circumstances, we make the order dated 11.05.2021 absolute and direct that the appellant shall remain on bail during the trial of crime registered pursuant to FIR No.70 dated 29.07.2020 with Police Station North, Chandigarh. The bail-bonds and securities afforded pursuant to the direction issued by this Court vide order dated 11.05.2021 shall hold good and shall be sufficient for the purposes of bail in the instant matter.

It is made clear that the appellant shall not misuse the

liberty granted vide order dated 11.05.2021 as confirmed by this order nor shall he make any attempt to influence the witnesses in any manner. He shall render complete co-operation in the smooth and orderly conduct of the proceedings before the trial court.

With the aforesaid observations, this appeal is allowed.

.....J.
[UDAY UMESH LALIT]

.....J.
[AJAY RASTOGI]

NEW DELHI;
JULY 01, 2021.

ITEM NO.40

COURT NO.3
(HEARING THROUGH VIDEO CONFERENCING)

SECTION II-B

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 for Special Leave to Appeal (Cr1.) No.3321/2021

(Arising out of impugned final judgment and order dated 09-04-2021
in CRMM No.42110/2020 passed by the High Court Of Punjab & Haryana
At Chandigarh)

VIPIN KUMAR DUA

Petitioner(s)

VERSUS

UNION TERRITORY OF CHANDIGARH & ANR.

Respondent(s)

Date : 01-07-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. Sunil Fernandes, AOR
Mr. Karan Nagrath, Adv.
Ms. Nupur Kumar, Adv.
Ms. Niharika Nagrath, Adv.
Mr. Viraj Gandhi, Adv.
Mr. Darpan Sachdeva, Adv.
Ms. Prastut Dalvi, Adv.

For Respondent(s) Mr. Gurinder Singh Gill, Sr. Adv.
Mr. P.P. Nayak, Adv.
Mr. Kuldeep Singh Kuchaliya, Adv.
Ms. Aashna Gill, Adv.
Mr. Pratap Singh Gill, Adv.
Ms. Bhupinder, Adv.
Ms. Vandana Hooda, Adv.
Mr. Ajay Pal, AOR

Mr. Rajesh Garg, Sr. Adv.
Mr. Uday Gupta, Adv.
Ms. Shivani M. Lal, Adv.
Mr. M.K. Tripathi, Adv.
Mr. Chand Qureshi, Adv.
Mr. Hiren Dasan, AOR

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

Leave granted.

The appeal is allowed, in terms of the Signed Order placed on
the file.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)
COURT MASTER

(VIRENDER SINGH)
BRANCH OFFICER