

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 1226 OF 2012
(Arising out of SLP(Crl.) No. 2965 of 2012)

PAWAN GOYAL		Appellant (s)	
STATE OF RAJASTHAN	Versus	Respondent (s)	

O R D E R

Leave granted.

Appellant has been convicted by the trial court and sentenced to undergo life imprisonment for an offence punishable under Section 304 Part II and imprisonment for a period of three years for an offence punishable under Section 498 A of the Indian Penal Code. Aggrieved by the Judgment of conviction and sentence, the appellant has preferred a criminal appeal No. 970 of 2005 before the High Court of Judicature at Rajasthan, Bench at Jaipur. The High Court has in terms of its order dated 01.03.2012, declined to suspend the sentence awarded to the appellant. The appellant has assailed the correctness of the said order in this appeal.

We have heard learned counsel for the parties at some length. The appellant, it appears, has already undergone imprisonment for a period of nine years including remission. We are told by learned counsel for the parties that there is no possibility of an early hearing of the appeal before the High Court. In the circumstances, we consider it just and proper to grant interim bail to the appellant for a period of six months on appellant's furnishing bail bonds in a sum of Rs. 25,000/- with two sureties in the like amount to the satisfaction of the trial court. We direct that the appellant shall approach the High Court for an early hearing of the appeal pending before it and in case the appeal is not heard and decided by the High Court within six month, the appellant may make a prayer to the High Court for extension of the interim bail granted by us.

In the result, we allow this appeal but only in part to the extent indicated above.

.....J.
[T.S. Thakur]

.....J.
[GYAN SUDHA MISRA]

New Delhi,
August 16, 2012.

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).2965/2012
(From the judgement and order dated 01/03/2012 in DBCRM No.970/2005, DBCRM
No.1143/2011 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

PAWAN GOYAL

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

(With appln(s) for bail and office report)

Date: 16/08/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)

Mr. H.D. Thanvi, Adv.

Ms. Preeti Thanvi, Adv.

Mr. Sarad Kumar Singhania, Adv.

Mr. Manish Jain, Adv.

For Respondent(s)

Mr. Maruf Khan, Adv.

Mr. Irshad Ahmad, Adv.

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

Leave granted.

The appeal is allowed in part in terms of the signed order.

|(N.K. Goel)
|Court Master|(Veena Khara)
|Court Master

(Signed order is placed on the file)