

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).4648/2013

(From the judgement and order dated 14/03/2013 in CRMBA No.10863/2012, of  
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

VISHNU NARAYAN MATHUR Petitioner(s)

VERSUS

STATE OF U.P. & ANR. Respondent(s)

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

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

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR  
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. Abhishek Gupta,Adv.

For Respondent(s) Ms. Indira Jaisingh, ASG,  
Mr. Aman Ahluwalia, Adv.  
MS Supriya Jain, Adv.  
Mr. T.A.Khan, Adv.  
Mr. B.V. Balaram Das,Adv.

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

Leave granted.  
The appeal is allowed in terms of the signed order.

| (Shashi Sareen) | | (Veena Khera) | |  
| Court Master | | Court Master | |

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 1138 OF 2013  
(Arising out of SLP(Crl.) No. 4648 of 2013)

| VISHNU NARAYAN MATHUR | ... | Appellant(s) |

| Versus |

| STATE OF U.P. AND ANR | ... | Respondent(s) |

O R D E R

Leave granted.

The High Court has declined bail to the appellant who is facing prosecution for offences punishable under Sections 120B, 420, 468, 471, Indian Penal Code and Section 13(2) read with Section 1(d) of the Prevention of Corruption Act in FIR No. RC-1202010A0002. It is not in dispute that the charge-sheet in the case has already been filed and charges framed against the appellant. It is also not in dispute that out of a total of 26 witnesses, 6 witnesses have already been examined by the prosecution. The appellant has been in jail since 06.04.2011. Examination of the remaining witnesses may take some time. We are also told that as against a sum of Rs. 1,79,00,000/- sanctioned by the appellant towards bank loan, a substantial amount of Rs. 75,00,000/- or so has already been recovered by the Bank.

In the totality of the above circumstances, we are inclined to direct release of the appellant from jail pending trial. We, accordingly allow this appeal, set aside the order passed by the High Court and direct that the appellant shall be enlarged from custody on 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. The appellant shall however refrain from tampering with the evidence and co-operate for an early conclusion of the trial. We further direct that he shall not leave the country without the permission of the trial court.

.....J.  
(T.S.THAKUR)

.....J.  
(VIKRAMAJIT SEN)

New Delhi,  
August 8, 2013