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SLP(Crl.)... 12711 OF 2001  
ITEM No.14

Court No. 3

SECTION IIA

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.) 6780/2001  
(From the judgement and order dated 28/08/2001 in CRLA 205/89  
of The HIGH COURT OF M.P AT JABALPUR)

DASHRATH @ CHAMPA & ORS.

Petitioner (s)

VERSUS

STATE OF M.P.

Respondent (s)

( Appln.(s) for bail and exemption from filing OT)  
(With Office Report)

Date : 09/11/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s) Mr. TS Chaudhary,Adv.  
Mr. B.K.Satiya,Adv.

For Respondent (s)

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.

.SP2

Application for exemption from filing Official  
Translation is allowed.

Leave granted.

We have perused the post-mortem report and we  
prima-facie feel that death cannot be attributed to any of the  
ante-mortem injuries noted by the doctor who conducted the  
autopsy. Even otherwise the conviction under Section 304 Part  
I, Indian Penal Code is prima facie unsustainable assuming the  
reasoning of the High Court for bringing down the offence to  
culpable homicide not amounting to murder can be accepted as  
correct. For the aforesaid reasons we allow interim bail for  
the appellants on their executing a bond before the trial court  
each for such amount as the trial judge may fix with two  
solvent sureties to his satisfaction.

.SP1

(N.K. Goel)  
Court Master

(H.K. Bhatia)  
Court Master