

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. 4043/1999

(From the judgment and order dt. 6.10.1999 in CBCRMB(C) No. 3519 of 1999 of the High Court of Judicature for Rajasthan at Jaipur Bench, Jaipur)

GARIBA & ANR.

Petitioner (s)

VERSUS

HARI CHAND & ANR.

Respondent (s)

(With Appln(s). for stay of arrest)

Date : 26/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)

Mr. S. Srinivasan,Adv.

For Respondent (s)

Mr. Sushil Kumar Jain,Adv.
Mr. Avijit Bhattacharjee,Adv.
Mr. D.S. Katyan, Mr. A. Saikia, Advs.

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

.....L.....I.....J
.SP2

Leave granted.
Appeal is allowed in terms of the signed order.

.SP1

(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)

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L.....T.....T.....T.....T.....T.....T.....T.....T.....R

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal No. _____ of 2001@@
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(Arising out of SLP(Crl) No. 4043 of 1999)

Gariba & Anr. ...Appellant (s)

Versus

Hari Chand & Anr. ...Respondent(s)

O R D E R~@@
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Leave granted.
Heard the learned counsel for the appellants and Mr. Jain appearing for the State of Rajasthan.
Having examined the impugned order of the High Court, we have no hesitation to come to the conclusion that the High Court could not have cancelled the bail granted on the ground on which it has cancelled. That apart, the appellants are on bail since 6.7.1999 notwithstanding the order of cancellation the impugned order having been stayed by this Court. In these circumstances, we set aside the impugned order of the High Court and allow this appeal.

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.....J@@
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(G.B. PATTANAİK)@@
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New Delhi,
February 26, 2001.

.....J@@
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(B.N. AGRAWAL)@@
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