

ITEM NO.6

COURT NO.4

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) No(s).4719/2012

(From the judgement and order dated 09/04/2012 in CRMP No.1013/2011 of The HIGH COURT OF M.P AT INDORE)

SHANTA BAI

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

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

Date: 30/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM

HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Sushil Kumar Jain, Adv.
Ms. Pratibha Jain, Adv.

For Respondent(s) Ms. Sakshi, Adv.
Mr. C.D. Singh, Adv.

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

Heard both sides.

Leave granted.

The present appeal is filed against the order of the High Court rejecting the application for suspension of sentence. It is not in dispute that in respect of conviction under Section 304-B IPC and sentence of 10 years, the High Court entertained the appeal and the same is pending as on date. Taking note of the fact that the appellant being a lady, aged 55 years and is in custody nearly from 14 months, we are inclined to consider the claim of the appellant. Therefore, the conviction and sentence of the appellant is suspended and the appellant is ordered to be released on bail pending disposal of the S.B. Criminal Appeal No.1013 of 2011 (on the file of High Court) in connection with Sessions Case No.610 of 2009 to the satisfaction of Additional Sessions Judge, Indore. The Additional Sessions Judge is free to impose appropriate condition(s) as he deems fit.

The appeal is disposed of.

[Usha Bhardwaj]

[Savita Sainani]

Court Master

Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1144 OF 2012

Arising out of S.L.P. (Criminal) No.4719 of 2012

Shanta Bai

.....Appellant(s)

Versus

State of Madhya Pradesh

.....Respondent(s)

O R D E R

Heard both sides.

Leave granted.

The present appeal is filed against the order of the High Court rejecting the application for suspension of sentence. It is not in dispute that in respect of conviction under Section 304-B IPC and sentence of 10 years, the High Court entertained the appeal and the same is pending as on date. Taking note of the fact that the appellant being a lady, aged 55 years and is in custody nearly from 14 months, we are inclined to consider the claim of the appellant. Therefore, the conviction and sentence of the appellant is suspended and the appellant is ordered to be released on bail pending disposal of the S.B. Criminal Appeal No.1013 of 2011 (on the file of High Court) in connection with Sessions Case No.610 of 2009 to the satisfaction of Additional Sessions Judge, Indore. The Additional Sessions Judge is free to impose appropriate condition(s) as he deems fit.

The appeal is disposed of.

.....J.
(P.SATHASIVAM)

.....J.
(RANJAN)

GOGOI)
NEW DELHI;
JULY 30, 2012.