

ITEM NO.41

COURT NO.10

SECTION II

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).5008/2012  
(From the judgement and order dated 30/04/2012 in SBCRM No.3515/2012, of  
The HIGH COURT OF RAJASTHAN AT JAIPUR)

PUSHPA JAIN

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

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

Date: 02/11/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Ms. Nitya Rama Krishnan,Adv.  
Mr. Rahul Kriplani,Adv.  
Mr. Asit Kumar Roy,Adv.  
Mr. Snehasish Mukherjee,Adv.

For Respondent(s)

Ms. Pragati Neekhara,Adv.  
Mr. Suryanaryana Singh,Adv.

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

Leave granted.

The appeal is disposed off in terms of the signed order.

|(N.K. Goel)  
|Court Master

|(Veena Khera)  
|Court Master

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 1744 OF 2012  
(Arising out of SLP(Crl.) No. 5008/2012)

|PUSHPA JAIN  
|STATE OF RAJASTHAN

|Versus  
|Appellant (s)  
|Respondent (s)

O R D E R

Leave granted.

High Court of Rajasthan has dismissed an application for grant of bail filed by the appellant in C.C. No. 635 of 2010 pending before the Additional Chief Judicial Magistrate, Kota, Rajasthan, for offences punishable under Sections 420, 467, 468, 471 and 120 B of the Indian Penal Code. It is not in dispute that the appellant has already spent nearly three years in custody. It is also not in dispute that out of 33 witnesses cited by the prosecution only 9 have been examined so far. It is, therefore, evident that the trial may take a few more years to conclude. There is no suggestion that the enlargement of the appellant would cause any interference with the on going trial or that the appellant is likely to tamper with the evidence. In the circumstances therefore and keeping in view the nature of the allegations made against the appellant, we allow this appeal, set aside the order passed by the High Court and direct that the appellant shall be released from custody on her furnishing bail bonds in a sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of the trial court.

Appeal is disposed off in the above terms.

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

.....J.  
[Fakkir Mohamed Ibrahim Kalifulla]

New Delhi,  
November 2, 2012.