

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).4978/2009

(From the judgement and order dated 05/05/2009 in CRLMB No. 16038/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

CHAMAN LAL

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(With office report)

Date: 22/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Kunwar C.M.Khan,Adv.
Mr. Aftab Ali Khan,Adv.
Mr. Ramesh Kumar Koli,Adv.
Mr. Simran K.Burney,Adv.

For Respondent(s)

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

We have heard the learned counsel for the parties.

We are informed by the learned counsel for the C.B.I. that the charge-sheets have already been filed and the submissions to the contrary on the last date appeared to be erroneous on fact. In this view of the matter Section 167(2) Cr.P.C. would not apply. It is stated before us that the petitioner has been in custody for almost two years and the trial is to go on

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before the Magistrate who can award a maximum of sentence seven years' imprisonment. We also see that the bail applications of several persons similarly situated (class II and Class IV employees) have already been allowed by the High Court as well as by this Court.

In the light of the above facts it would be unnecessary to keep the person in custody any further. The CBI has given us certain conditions for the grant

of bail. We accordingly release the petitioner on bail
on conditions to be settled by the Trial Court.
Trial Court will also examine conditions that have been
provided by CBI for the grant of bail.

The

The special leave petition is dismissed.

[SUMAN WADHWA]
COURT MASTER

[VINOD KULVI]
COURT MASTER