

SLP(Crl.)No. 4838 OF 2003
ITEM No.1

Court No. 4

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. 4838/2003

(From the judgement and order dated 16/10/2003 in SB CRL.Mis.Bail
Appln. No. 2700/2003 of The HIGH COURT OF RAJASTHAN AT JODHPUR)

KANWALJEET SINGH & ANR.

Petitioner (s)

VERSUS

STATE OF RAJASTHAN Respondent (s)
(With appln.(s) for anticipatory bail and permission to place addl.
documents on record and exemption from filing O.T. and intervention)

Date : 20/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s)Mr. Sushil Kumar, Sr. Adv.
Mr. Prakash Shrivastava, Adv.

For Respondent (s)Mr. U.U.Lalit, Adv.
Mr. Rana Mukherjee, Adv.
Mr. Saket Parekh, Adv.
Mr. J.Sharma, Adv.
Mr. Siddarth Gautam, Adv.
Mr. Goodwill Indeevar, Adv.
Mr. Ansar Ahmad Chaudhary, Adv.

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

The application for intervention is allowed.
Leave granted.
The appeal is allowed.

(Shashi Sareen) (Prem Parkash)
Court Master Court Master

(Signed order is place on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 496 OF 2004
(Arising out of SLP(Crl.) 4838/2003

KANWALJEET SINGH & ANR.

...

Appellant (s)

Versus

STATE OF RAJASTHAN

...

Respondent (s)

O R D E R

Heard learned counsel for the parties.
The application for intervention is allowed.
Leave granted.

It is stated in affidavit that the cheque which is the subject matter of the complaint is now in the custody of the Court of Judicial Magistrate, Ist Class, Raipur which will be available to the Investigating Agency for the purpose of investigating the genuineness of the same. In view of the said fact, we think the appellants should be released on anticipatory bail in the event of their arrest on furnishing a self bond of Rs. One lakh and two surities of the like sum to the satisfaction of the Arresting Officer or the Court as the case may be. Apart from the conditions laid down in Section 438(2) of the Code of Criminal Procedure the appellants shall also cooperate with the Investigating Agency in producing all such documents as is required by them on demand being made for the same in writing by the concerned Investigating Officer. Failure to cooperate in producing these documents or in any other manner with the investigation would entail the consequence of cancellation of bail.

In regard to the ledgers and account books which the appellant contends as bulky and difficult to be transported, the inspection shall be given to the Investigating Officer in the appellants office as and when desired by him.
With the above directions, this appeal is allowed.

.....J.

(N.SANTOSH HEGDE)

.....J.

(B.P.SINGH)

New Delhi,
APRIL 20, 2004.