

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 2120 OF 2014  
(arising out of S.L.P. (Crl.) No. 6387 of 2011)

JAI NARAIN ... APPELLANT(S)

VERSUS

STATE OF HARYANA & ANR. ...RESPONDENT(S)

O R D E R

Leave granted.

Heard learned senior counsel appearing on behalf of the parties and learned counsel appearing on behalf of the intervenor-complainant.

Perused the Order dated 19.09.2011 passed by this Court, which reads thus:

"Issue notice, returnable six weeks hence.

In the meantime, the petitioner is not to be arrested in connection with FIR No. 127 dated 1.3.2011, under Sections 420, 467, 468, 471 IPC, P.S. Civil Lines, Gurgaon, Haryana."

The appellant had the benefit of anticipatory bail upto now. The chargesheet had been filed. The contention urged by learned senior counsel appearing on behalf of the respondent-State of Haryana is that in the counter affidavit in Para 9 it is categorically stated that the

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Sushil Kumar Rakheja

Date: 2014.09.24

17:01:57 IST

Reason:

appellant is a proclaimed offender and not attending the court proceedings in the case in respect of which the anticipatory bail is granted to him.

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Since this Court has granted anticipatory bail to the appellant and the same is continuing for the last more than three years, at this stage, it may not be proper for this Court to vacate the same and, therefore, the aforesaid order is made absolute subject to the condition that if, the appellant does not appear before the trial court or misuses the anticipatory bail, the respondent-State is at liberty to file an application seeking cancellation of the same before the trial court. If such an application is filed, that may be considered in accordance with law.

With the aforesaid observations, the appeal is disposed of.

