

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).7233/2008

(From the judgement and order dated 18/08/2008 in SBCRM No.5765/08 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

SAMSU

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 17/10/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

For Petitioner(s)

Mr. P. Kakra, Adv.

Mr. S.K. Shrivastava, Adv..

Mr. Vijay Pandita, Adv.

Mr. Ranbir Singh Yadav, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

ORDER

Heard.

We are not inclined to accept the prayer for protection in terms of Section 438 Cr.P.C. The special leave petition is, accordingly dismissed. However, if the petitioner surrenders before the concerned court and moves for bail, the Court would do well to dispose of the application on the day it is presented. Needless to say that before the application for bail is moved, the prosecuting agency shall be given intimation as to the date on which the bail application is proposed to be moved. Our rejecting prayer to extend the benefit in terms of Section 438 Cr.P.C. shall not be construed as if we have expressed any opinion on the merits of the case.

(Hemalatha Mohan)
Sr.P.A.

(Shashi Bala Vij)

Court Master