

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s).2220 OF 2010
(arising out of S.L.P.(Crl.)No.9045/2010)

SARAJ KUMAR KOVIND ...Appellant(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION,
NEW DELHI ...Respondent(s)

O R D E R

Leave granted.

This appeal is directed against the order dated 22.4.2010 passed by the learned Single Judge of the Punjab and Haryana High Court whereby he rejected the application filed by the appellant under Section 439 of the Code of Criminal Procedure.

We have heard Shri Pallav Shisodia, learned senior counsel appearing for the appellant and Mr. P.P. Malhotra, learned Additional Solicitor General appearing for the the Central Bureau of Investigation and perused the record.

It is not in dispute that the appellant has remained in jail for almost two years and eight months. It is also not in dispute that the trial is yet to commence. Therefore, we do not find any justification for refusing bail to the appellant.

The appeal is accordingly allowed and the appellant

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is directed to be released on bail on his furnishing bail bond in a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the trial Court.

It is, however, made clear that if the appellant abuses his liberty by indulging in any activity akin to the one for which he is being prosecuted, the Central Bureau of Investigation shall be free to move this Court for cancellation of the bail.

