

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6592/2007

(From the judgement and order dated 19/09/2007 in CMBA No. 1268/2007 In Crl.A. No. 554/2007 of The HIGH COURT OF DELHI AT N. DELHI)

BHUSHAN CHOUDHARY

Petitioner(s)

VERSUS

C.B.I.

Respondent(s)

(With appln(s) for bail)

Date: 07/12/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s) Mr. Amit Korpall, Adv.
Mr. D.K. Sharma, Adv.
Mr. K.K.L. Gautam, Adv.
Mr. Daya Krishan Sharma, Adv.

For Respondent(s) Mr. B.B. Singh, Adv.
Ms. Abha R Sharma, Adv.
Mr. B.K. Prasad, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appellant is released on bail on such terms and conditions as the trial court deems fit.

The appeal is disposed of.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1684 OF 2007
(arising out of SLP(Crl.) No. 6592/2007)

Bhushan Choudhary

.. Appellant(s)

Versus

C.B.I.

.. Respondent(s)

ORDER

Leave granted.

Earlier when the matter was called out on November 30, 2007, following order was passed:

"The learned counsel for the petitioner stated that in a similar matter an order has been passed by Court No.6 of this Court. Therefore, the counsel for the respondent prays for time to enquire into the matter.

List on 7th December, 2007."

Today our attention has been invited by the learned counsel for the parties to the order passed in Criminal Appeal No. 1656 of 2007. In similar circumstances, when one of the accused (Ved Prakash) came to this Court, the Court observed that on the facts and in the circumstances of the case and considering the quantum of sentence imposed upon the appellant in that case, the sentence ought to have been suspended, but it was not suspended. The Court then observed that the appellant had already been released on bail pursuant to an interim order passed by this Court on October 5, 1007 and hence, no further order was necessary.

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On the facts and in the circumstances of the present case also, the High Court has not suspended the sentence but in the light of the order passed by a coordinate Bench, in our opinion, ends of justice would be met if the appellant is released on bail on such terms and conditions as the trial Court deems fit. Ordered accordingly.

The appeal is disposed of.

.....J
[C.K. THAKKER]

.....J

[ALTAMAS KABIR]

NEW DELHI,
DECEMBER 07, 2007.