

ITEM NO.12                      Court 8 (Video Conferencing)                      SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).3608/2020

(Arising out of impugned final judgment and order dated 05-02-2020 in CRLMA No.21688/2019 passed by the High Court Of Gujarat At Ahmedabad)

JITENDRA RAMANLAL SHAH

Petitioner(s)

VERSUS

THE STATE OF GUJARAT

Respondent(s)

(With applns for exemption from filing O.T., exemption from filing affidavit, permission to file additional documents/facts/annexures, permission to file lengthy list of dates)

Date : 10-02-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s)    Mr. Nikhil Goel, AOR  
                                 Ms. Naveen Goel, Adv.  
                                 Mr. Dushyant Sarna, Adv.  
                                 Mr. Vinay Mathew, Adv.

For Respondent(s)    Ms. Deepanwita Priyanka, Adv.  
                                 Mr. Aniruddha P. Mayee , AOR

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

The petitioner who is accused of offences under Sections 302, 307, 452, 324, 326, 427, 143, 147, 148, 149, 294(B), 120(B) and 506(2) of the Indian Penal Code was arrested on 26.11.2018. Application for bail filed by him was rejected by the High Court on 05.02.2020 on the ground that the earlier application filed by him was withdrawn and the accused have been intentionally delaying the proceedings before the Trial Court.

It has been brought to our notice that the other co-accused against whom allegations similar to those made against the petitioner have been released on bail. An application was moved by the petitioner for furnishing the CCTV footage on 20.03.2019. Till date, the CCTV footage has not been given as required under section 207 of the Cr.PC. The delay that has occurred in framing of the charges cannot be attributed to the petitioner alone.

Taking into account the facts and circumstances of this case, we direct release of the petitioner on bail subject to the satisfaction of the Trial Court in addition to the following conditions:

a. That he shall remain present in the Trial Court on each fixed date.

b. In case the petitioner is delaying the proceedings in the Trial Court, the prosecution is at liberty to move an application for cancellation of bail.

The Special Leave Petition is accordingly disposed of. Pending application(s), if any, shall stand disposed of.

(B.Parvathi)  
Court Master

(Anand Prakash)  
Court Master