

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 for Special Leave to Appeal (Crl.) No(s). 5477/2019

(Arising out of impugned final judgment and order dated 20-02-2019 in MCRC No. 47105/2018 passed by the High Court of M.P at Gwalior)

SANTOSH SINGH

Petitioner(s)

VERSUS

CHANDRABHAN SINGH YADAV

Respondent(s)

(IA No. 78320/2019 - EXEMPTION FROM FILING O.T.)

Date : 03-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Rajendra Sahu, Adv.
Ms. Hema Sahu, Adv.
Mr. Rishabh Sahu, Adv.
Mr. C. L. Sahu, AOR

For Respondent(s) Mr. Praveen Swarup, AOR (Not Present)

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

Feeling aggrieved and dissatisfied with the impugned judgment and order passed by the High Court cancelling the bail in view of the subsequent two complaints of threatening the witnesses, the original accused has preferred the present Special Leave Petition.

By order dated 19.07.2019, while issuing notice this Court has directed that the order impugned shall not be given effect to if

contd..

the petitioner has yet not been taken under custody. It is reported that pursuant to the impugned order passed by the High Court, the petitioner was not taken under custody and, therefore, the petitioner is on bail pursuant to the protection granted by this Court.

Though served, nobody has appeared on behalf of the respondent.

Nothing is reported that after order dated 19.07.2019, the petitioner indulged into activities detrimental to the case of the prosecution. There are no allegations pointing out that after the impugned order, the petitioner has threatened any witnesses.

In that view of the matter, order dated 19.07.2019 is made absolute with a condition that the petitioner shall not tamper with the evidence and/or threaten the witnesses and if it is found that the petitioner is trying to tamper with the evidence and/or threaten the witnesses, his bail may be cancelled after giving an opportunity to the petitioner.

With this, the present Special Leave Petition stands disposed of.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR