

ITEM NO.77 Court 14 (Video Conferencing)

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 10299/2021

KUSH KUMAR TIWARY

Petitioner(s)

VERSUS

STATE OF JHARKHAND

Respondent(s)

(AFTER NOTICE MATTER ON IA No.64348/2021-EXEMPTION FROM
SURRENDERING
IA No. 64348/2021 - EXEMPTION FROM SURRENDERING WITHIN TIME)

Date : 20-09-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
[IN CHAMBER]

For Petitioner(s) Mr. Manikya Khanna, AOR

For Respondent(s) Mr. Anando Mukherjee, AOR
Mr. Rajiv Kumar Dvivedi, Adv.

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

Heard the learned counsel appearing for the petitioner and the
learned counsel appearing for the respondent.

There are two substantive sentences against the petitioner
directing him to undergo rigorous imprisonment of two years. The
sentences have been ordered to run concurrently. The certificate
issued by the Superintendent, Birsa Munda Central Jail, Hotwar,
Ranchi records that the petitioner has already undergone
incarceration for six months and five days. The learned counsel
appearing for the petitioner states that the petitioner shall
deposit the fine amount of Rs.10,000/- for each offence as directed
by the learned Special Judge.

Considering the fact that the substantive sentence is only for two years and that the petitioner has undergone for more than six months, the prayer for grant of exemption from surrendering is granted subject to condition that the petitioner shall deposit fine of Rs.10,000/- each for both the offences within a period of two weeks from today.

The petitioner shall produce proof of payment of fine on record within a period of three weeks from today.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)
COURT MASTER (NSH)