

ITEM NO.6 Court 5 (Video Conferencing) SECTION II

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

Petition(s) for Special Leave to Appeal (CrI.) No(s).2612/2020

(Arising out of impugned final judgment and order dated 28-02-2020 in SBCRL.MBA No.14250/2019 passed by the High Court Of Judicature For Rajasthan At Jaipur)

NAND KISHORE PAREEK & ANR. Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN Respondent(s)

(With applns for exemption from filing O.T. & impleadment)

Date : 24-08-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Adhiraj S.Rawat, Adv.
Mr. Ankit Anandraj Shah, AOR

For Respondent(s) Ms. Gurkirat Kaur, Adv.
Mr. Milind Kumar, AOR

Gp. Capt. Karan Singh Bhati, AOR
Mr. Dashrath Singh, Adv.
Ms. Chitrangda Rastravara, Adv.
Mr. Manvendra Singh Rathore, Adv.

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

Application for impleadment filed by Gp. Capt. Karan Singh Bhati, learned counsel for the complainant/applicant is allowed.

This Special Leave Petition filed against an order passed by the High Court refusing anticipatory bail to the petitioners who are accused in FIR No.306/2019 at Police Station Shrimadhapur, Sikar, Rajasthan for offences under Sections 420, 467, 468, 471, 406 and 120-B of IPC. The petitioners are alleged to have forged on

agreement to sell. The petitioners contended before the High Court that they have filed a civil suit for specific performance for agreement to sell and as the subject matter of FIR is purely on civil nature they are entitled to relief of anticipatory bail. However, the High Court rejected the application for anticipatory bail on the ground that serious allegations of forgery have been made against the petitioners. The learned counsel for the petitioners submitted that the co-accused has been granted anticipatory bail.

Having heard the learned counsel for the petitioners, learned counsel for the State and the complainant/applicant, we are of the considered view that the petitioners are entitled for the benefit of anticipatory bail subject to the condition that the petitioners shall join the investigation. In case, the petitioners do not join the investigation, the State is at liberty to file an application for cancellation of bail.

The petitioners are directed to be released on bail in the event of their arrest in FIR No.306/2019.

With these observation(s), the Special Leave Petition is disposed of.

Pending application(s), if any, shall stand disposed of.

(NIRMALA NEGI)
COURT MASTER (SH)

(ANAND PRAKASH)
BRANCH OFFICER