

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.709 OF 2020
(Arising out of S.L.P.(Criminal) No.3170 of 2020)

SUGHAR SINGH

... APPELLANT(S)

VS.

STATE OF UTTAR PRADESH & ANR.

... RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned counsel for parties.

It is pointed out by learned counsel for respondent No.2 that though the appellant seeks parity with the order passed by this Court at annexure P-1 (Criminal Appeal No.424 of 2020 dated 28th May, 2020), the position today is that all the family members are behind bars except the respondent No.2 who is the mother-in-law and the allegation is of a gun-shot injury apart from the invocation of the provisions of the Dowry Prohibition Act, 1961. He submits that it is highly unlikely that the mother in law would have caused the gun-shot injury. The charge sheet has also been filed.

Learned counsel submits that in view of the aforesaid, the respondent No.2 should be permitted to be at large.

On the other hand, learned counsel for the appellant submits that the impugned order being without any reasoning, the same is liable to be set aside.

On a consideration of the matter, we are of the view that the impugned order is liable to be set aside on account of absence of any reason and we accordingly do so.

In view of the fact that charge sheet has been filed, we permit the respondent No.2 to apply for regular bail. Such an application may be filed within two weeks from today and will be considered by the trial Court as expeditiously as possible. Till the order is passed on the bail application, respondent No.2 need not surrender. We, however, make it clear that this is without any reflection on the merits of the case for the bail to be considered by the trial Court on its own merits.

The appeal is accordingly allowed leaving parties to bear their own costs.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[HRISHIKESH ROY]

New Delhi;
October 28, 2020.

