

ITEM NO.25 Court 9 (Video Conferencing)

SECTION II

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 (Cr1.) No. 3686/2020

(Arising out of impugned final judgment and order dated 07-11-2019 in SBCRLMISCTBA No. 14909/2019 passed by the High Court Of Judicature For Rajasthan At Jaipur)

RAHUL SHARMA

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN

Respondent(s)

(FOR ADMISSION and I.R. and IA No.63119/2020-EXEMPTION FROM FILING AFFIDAVIT)

Date :15-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s)

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

For Respondent(s)

Mr. Milind Kumar, AOR

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

We have heard learned counsel for parties.

We have also perused the order of bail granted in the case of the co-accused Vijay Singh. Learned counsel for the State has pointed out that there was no recovery of personal belongings made from Vijay Singh while in the case of the petitioner, the shirt of the petitioner was

recovered and the blood stains on the shirt have been found to be positive.

In our view thus there cannot be a case of parity with Vijay Singh.

We put a question to learned counsel for the State whether there are any private witnesses required to be examined to which the answer is negative. He however, clarifies that the IO is yet to be examined.

In the conspectus of the facts of the present case, we are of the view that at present the petitioner ought not to be granted bail but after the IO is examined, the petitioner may move the trial Court for consideration of bail.

The special leave petition is dismissed with the aforesaid liberty.

Pending application stands disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)