

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 690 OF 2020
(Arising out of SLP (Criminal) No.4323 of 2020)

SUNITA TIWARI ...Appellant

VERSUS

STATE OF MADHYA PRADESH ...Respondent

ORDER

Leave granted.

This appeal arises out of the order dated 13.07.2020 passed by the High Court of Madhya Pradesh at Jabalpur in M.Cr.C. No.46353 of 2019.

The appellant, sister-in-law (jethani) of the deceased, is arrayed as accused no.4 in crime registered pursuant to FIR No.158/2019, with Police Station Chorhata, District Rewa, Madhya Pradesh, for the offences punishable under Sections 498-A, 304-B, 201 & 34 IPC and Sections 3 & 4 of the Dowry Prohibition Act, 1961.

Following features are evident from record:-

- a) The appellant has been in custody since 19.08.2019;
- b) Two other co-accused, namely, father-in-law and mother-in-law of

the deceased are already on bail; and

- c) Though the charge-sheet has been filed, charges are yet to be framed.

Considering the circumstances on record including the fact that the appellant has completed almost 14 months of actual custody, in our view, the appellant is entitled to the relief under Section 439 of the Code of Criminal Procedure, 1973.

We, therefore, allow this appeal and direct release of the appellant on bail during the pendency of trial.

The appellant shall be produced before the Trial Court within three days from today and the Trial Court shall release her on bail, subject to such conditions as the Trial Court may deem appropriate to impose to ensure her presence and participation in the proceedings initiated pursuant to the aforesaid crime.

The appeal is allowed in the aforesaid terms.

.....J.
[UDAY UMESH LALIT]

.....J.
[S. RAVINDRA BHAT]

NEW DELHI;
OCTOBER 16, 2020 .

