

IN THE SUPREME COURT OF INDIA**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.1247 OF 2019
(Arising out of SLP (Cr1.) No.4077/2019)

VISHWA PRAKASH GAUR**Appellant****VERSUS****STATE OF UTTAR PRADESH & ORS.****Respondents****O R D E R**

Leave granted.

The application preferred by the appellant under Section 482 Cr.P.C. seeking quashing of FIR No.133 of 2018, dated 28.07.2018 registered with Police Station Dhebrua, District Siddharth Nagar, Uttar Pradesh, against the appellant and co-accused for the offences punishable under Sections 409, 420 read with Section 120-B IPC, was dismissed by the High Court, which order is presently under challenge.

On 07.05.2019, following order was passed by this Court:

"Learned counsel for the petitioner invited our attention to the orders passed in connection with matters pertaining to co-accused who were granted protection under the respective orders passed by the High Court.

Issue notice, returnable in three weeks.

Dasti in addition.

Learned Standing Counsel for the State shall be served in the matter independently.

In the meantime, the petitioner shall not be arrested in connection with FIR No.0133 dated 28.07.2018, Distt. Siddharth Nagar, PS: Dhebrua.

List for further consideration on 03.07.2019."

We have heard learned counsel for both sides.

Mr. S.R. Singh, learned senior counsel for the State submitted that the charge-sheet has already been filed.

In the circumstances, we direct that the appellant shall appear before the Trial Court within two weeks with advance notice to the Public Prosecutor, whereafter the appellant shall be released on bail, subject to the appellant furnishing bail-bond with two like sureties. It shall be open to the Trial Court to impose such other conditions as are deemed appropriate.

With the aforesaid observations, this appeal stands allowed.

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

.....J.
[VINEET SARAN]

NEW DELHI;
AUGUST 19, 2019

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1248 OF 2019
(Arising out of SLP (CrI.) No.5194/2019)

RAJEEV KUMAR SINGH

Appellant

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondents

O R D E R

Leave granted.

The application preferred by the appellant under Section 482 Cr.P.C. seeking quashing of FIR No.133 of 2018, dated 28.07.2018, registered with Police Station Dhebrua, District Siddharth Nagar, Uttar Pradesh, against the appellant and co-accused for the offences punishable under Sections 409, 420 read with Section 120-B IPC, was dismissed by the High Court, which order is presently under challenge.

On 05.07.2019, following order was passed by this Court:

“List along with SLP (CrI.) No.4077/2019.

In the meantime, the petitioner shall not be arrested in connection with FIR No.0133 dated 28.07.2018, Distt. Siddharth Nagar, PS: Dhebrua.”

We have heard learned counsel for both sides.

Mr. S.R. Singh, learned senior counsel for the State submitted that the charge-sheet has already been filed.

In the circumstances, we direct that the appellant shall appear before the Trial Court within two weeks with advance notice to the Public Prosecutor, whereafter the appellant shall be released on bail, subject to the appellant furnishing bail-bond with two like sureties. It shall be open to the Trial Court to impose such other conditions as are deemed appropriate.

With the aforesaid observations, this appeal stands allowed.

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

.....J.
[VINEET SARAN]

NEW DELHI;
AUGUST 19, 2019

ITEM NO.34

COURT NO.7

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.4077/2019

(Arising out of impugned final judgment and order dated 14-03-2019 in CRMWP No.6898/2019 passed by the High Court Of Judicature At Allahabad)

VISHWA PRAKASH GAUR

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(FOR I.R.; and, IA No.71457/2019 - FOR EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No.5194/2019 (II)

(FOR ADMISSION and I.R.; and, IA No.87545/2019 - FOR EXEMPTION FROM FILING O.T.)

Date : 19-08-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Rakesh Kumar, Adv.
Mr. Anupam Sharma, Adv.
Ms. Surbhi Gupta, Adv.
Mr. Rakesh Kumar-I, AOR

For Respondent(s) Mr. S.R. Singh, Sr. Adv.
Mr. Ankur Prakash, AOR

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

Leave granted.

The appeals stand allowed, in terms of the signed order.

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

(MUKESH NASA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed Orders are placed on the File)