

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1349 OF 2021  
(@ out of SLP (CrI.) No. 6205/2020)

KIRITKUMAR CHIMANLAL MODI & ANR.

Appellant(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 13-03-2020 passed by the High Court of Gujarat at Ahmedabad rejecting CRMA No. 23391/2019.

Apprehending arrest in connection with crime registered pursuant to FIR No. I-70/2016 dated 22.09.2016 lodged with Patan City "A" Division, Police Station, Patan, Gujarat in respect of offences punishable under Sections 465, 467, 468, 469, 471, 420 and 120-B IPC, the afore-stated criminal miscellaneous application was preferred by the appellants seeking anticipatory bail.

At the initial stage, the High Court was pleased to grant interim relief. However by order presently under challenge, the application was dismissed by the High Court.

In this appeal, by interim order dated 08.04.2020, the appellants were granted protection of stay of arrest.

It is a matter of record that the appellants have thereafter rendered co-operation with the ensuing investigation.

Considering the fact and circumstances on record, in our view, the appellants are entitled to anticipatory bail as prayed for. We, therefore, allow this appeal.

While setting aside the order passed by the High Court, we direct that in case the appellants are arrested in connection with the aforesaid case, the arresting officer shall release the appellants on bail subject to their furnishing cash security in sum of Rs.50,000/- with two like sureties.

Needless to say, that the appellants shall render complete cooperation in the investigation and shall also cooperate with the conduct of the trial and remain present on every single occasion before the Trial Court.

The appeal is allowed in aforesaid terms.

.....J.  
(UDAY UMESH LALIT)

.....J.  
(S. RAVINDRA BHAT)

New Delhi,  
November 8, 2021.

ITEM NO.20                      Court 2 (Video Conferencing)                      SECTION II-B

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(s) for Special Leave to Appeal (Cr1.) No(s). 6205/2020

(Arising out of impugned final judgment and order dated 13-03-2020 in CRMA No. 23391/2019 passed by the High Court Of Gujarat At Ahmedabad)

KIRITKUMAR CHIMANLAL MODI & ANR.                      Petitioner(s)

VERSUS

STATE OF GUJARAT                      Respondent(s)  
( IA No. 125809/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
IA No. 125808/2020 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No. 5338/2020 (II-B)  
(FOR ADMISSION and I.R. and IA No.99202/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ;IA No. 106222/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 08-11-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s)      Mr. Rajiv kumar, AOR

SLP(Cr1) No. 5338/2020      Mr. Priank Adhyaru, Adv.  
Mr. N.K.Majmudar, Adv.  
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s)      Ms. Deepanwita Priyanka, AOR. (For State)

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

SLP(Cr1) No. 5338/2020

We see no reason to interfere. The Special Leave Petition is dismissed.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(VIRENDER SINGH)  
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)