

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 (Crl.) No(s). 5488/2017

(Arising out of impugned final judgment and order dated 26-04-2017  
in SBCRMSBA No. 5553/2017 passed by the High Court Of Judicature  
For Rajasthan At Jaipur)

SHYAM LAL

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date : 03-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE S. ABDUL NAZEERFor Petitioner(s) Ms. Aishwarya Bhati, AOR  
Ms. Anshul Sharma, Adv.  
Mr. Adarsh Kumar Tiwari, Adv.  
Mr. Bhrigu Sharma, Adv.For Respondent(s) Ms. Ruchi Kohli, AOR  
Ms. Nidhi Jaswal, Adv.  
Ms. Bhavya Tandon, Adv.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.

(DEEPAK MANSUKHANI)  
AR-cum-PS(RAJINDER KAUR)  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 1725 OF 2017  
(Arising out of S.L.P. (Crl.) No. 5488 of 2017)

SHYAM LAL

Appellant(s)

VERSUS

THE STATE OF RAJASTHAN

Respondent(s)

O R D E R

1. Leave granted.
2. We have heard learned counsel for the parties.
3. The appellant-Shyam Lal S/o Shri Kalyan Sahay is facing trial for the offences punishable under Sections 147, 148, 149, 323, 325, 307 and 302 of the Indian Penal Code, 1860 (for short 'IPC'). He has been in custody for more than five and half years. Charge-sheet has already been filed in the case. The co-accused have been granted bail. His application for grant of bail has been dismissed by the High Court.

In the circumstances, we cannot permit the appellant to continue incarceration for a further period without the adjudication being finalized. We, therefore, order him to be released on bail on execution of a bond with two solvent securities to the satisfaction of the Trial Judge.

4. We permit the Trial Judge to impose such conditions as he feels necessary for ensuring the appellant's attendance on the dates of posting in the Trial Court.

5. The appeal is accordingly allowed.

.....J.  
(J. CHELAMESWAR)

.....J.  
(S. ABDUL NAZEER)

New Delhi;  
October 3, 2017.