

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).5578/2020

(Arising out of impugned final judgment and order dated 11-06-2020 in FBA No.1921/2018 passed by the High Court Of Uttarakhand At Nainital)

AMIT SINGH

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND

Respondent(s)

(FOR ADMISSION and I.R. and IA No.115981/2020-EXEMPTION FROM FILING O.T.)

Date : 05-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Ayush Negi, AOR
Ms. Manini Roy, Adv.

For Respondent(s)

Mr. Atul Sharma, AOR
Mr. Jaswant Singh Rawat, AOR

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

Heard learned counsel for the petitioner as well as learned counsel for the State.

This special leave petition has been filed against the order passed by the High Court of Uttarakhand, rejecting the bail application of the petitioner filed under Section 439 of Cr.P.C. Petitioner is an accused in case under Sections 304B and 498A of IPC and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that trial has

already begun and the star witnesses i.e. family members of the deceased have already been examined. Petitioner is in custody since 21.08.2018.

In the facts of the present case, we are of the opinion that case has been made out for release of the petitioner on bail on terms and conditions as fixed by the Trial Court. We order accordingly. We, however, direct one of the conditions to be incorporated in the conditions of the Trial Court that petitioner shall participate in the trial and shall not absent from the trial unless permitted by the Court. The petitioner has already released by this Court for a period of four weeks by order dated 09.12.2020, he need not surrender. However, the fresh bail bonds etc., be taken from the petitioner as per the conditions fixed by the Trial Court.

The special leave petition is disposed of accordingly alongwith the pending application(s).

(ARJUN BISHT)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER