

ITEM NO.29 Court 7 (Video Conferencing) SECTION II-A

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 (CrI.) No(s). 5992/2020

(Arising out of impugned final judgment and order dated 29-09-2020  
in MCRC No. 32066/2020 passed by the High Court Of M.p At Gwalior)

BHARAT TYAGI

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

(with applns. for EXEMPTION FROM FILING AFFIDAVIT, EXEMPTION FROM  
FILING C/C OF THE IMPUGNED JUDGMENT and EXEMPTION FROM FILING O.T.)

Date : 04-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE NAVIN SINHA  
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. Dhruv Joshi, Adv.  
Mr. Akshay Srivastava, Adv.  
Mr. Rajesh Kumar, Adv.  
Mr. Mohit Kumar Bansal, Adv.  
Mr. Gaurav Goel, AOR

For Respondent(s) Mr. Gopal Jha, AOR

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

On 28.05.2019, FIR No.130 of 2019 was  
registered against the petitioner and Constable Raghubir  
Singh Sikarwar under Sections 307, 294, 323 and 34 IPC.  
We are informed that the charge sheet has been filed.  
Charges have been framed by the trial Court on  
15.12.2020 and the trial has to commence.

The petitioner was arrested on 05.06.2020 and

his second application for bail was rejected by the High Court on 29.09.2020, aggrieved by which this special leave petition has been filed.

According to the charge sheet, the fire arm injury is attributed to Raghubir Singh Sikarwar. The allegation against the petitioner is that he caused injuries to the victim by using fists and kicking him.

As charges have already been framed and the allegations made against the petitioner do not attract the offence under Section 307 IPC, we are inclined to grant bail to the petitioner subject to the condition that he shall not make any attempt to influence the witnesses or tamper with the evidence.

In case, there is violation of the above condition, it is open to the prosecution to move an application for cancellation of bail.

The petitioner is directed to be released on bail subject to the satisfaction of the concerned trial Court.

The special leave petition is disposed of. Pending application(s), if any, shall also stand disposed of.

(Geeta Ahuja)  
Court Master

(Beena Jolly)  
Court Master