

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

MA NO. 840 OF 2017

IN

SPECIAL LEAVE PETITION (C) NO(S)5384 OF 2016

PRABHANT SINGH @ KULDIP SINGH

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

O R D E R

M.A. allowed. Order dated 21.4.2017 dismissing the special leave petition for non-prosecution is recalled and Special Leave Petition is restored to its file.

We have heard the counsel for the parties. The petitioner has been convicted for the offence punishable under Sections 467, 468 and 471 as well as under Section 420 read with 120 of IPC. He has been sentenced for five years rigorous imprisonment and a fine of Rs. 5,00,000/- on each count for the offence punishable under Sections 467, 468 and 471 read with 120 B IPC and further 6 years rigorous imprisonment and a fine of Rs. 5,00,000/- on each count for the offence under Section 420 read with 120 B IPC. The petitioner has filed appeal against the said conviction which is pending in the High Court of Madhya Pradesh and is numbered as CR.A. No 951/2014.

The petitioner applied for suspension of sentence

during the pendency of his appeal in the High Court. Sentence was suspended by the High Court vide order dated 14.10.2014, subject to furnishing bond of Rs. 1,00,000/- with one surety of the like amount. It was further subjected to the condition that he would deposit a sum of Rs.10,00,000/- (Rs. Ten lakhs only) out of Rs. 20,00,000/- (Rs. Twenty lakh only) fine imposed upon him by the Trial Court. Since the petitioner has not been able to deposit this amount, he continues to be in custody even when order dated 14.10.2014, as aforesaid, granting bail to him was passed by the High Court. As of now, he has suffered incarceration of more than 4 ½ years. In a matter like this, it would be appropriate for the High to decide the appeal itself at an early date, inasmuch as, if the appeal is not decided early, the effect thereof would be that the order of bail shall not enure to the benefit of the petitioner.

We, therefore, dispose of this petition urging upon the High Court to make an endeavour to decide the appeal by 31st December, 2017.

.....J
(A.K. SIKRI)

.....J
(ASHOK BHUSHAN)

NEW DELHI;
SEPTEMBER 15, 2017

ITEM NO.13

COURT NO.6

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

MA 840/2017 IN SLP (Cr1.) No(s).5384/2016

PRABHANT SINGH @ KULDIP SINGH

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No.88585/2017-RESTORATION)

Date : 15-09-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Ms. Anuradha Mutatkar, AOR

For Respondent(s) Mr. Sunny Choudhary, Adv.
Mr. Saurabh Mishra, AOR

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

M.A. allowed.

The petition is disposed of in terms of the signed
order.

(B. PARVATHI)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

(signed order is placed on the file)