

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 360 OF 2020
(@ out of SLP (CrI.) No.363/2020)

DEEPAK KUMAR

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

O R D E R

Leave granted.

This appeal arises out of the final judgment and order dated 09-05-2019 passed by the High Court of M.P. at Gwalior in MCRC No. 16531/2019.

In connection with Crime No.138 of 2018 registered with P.S. Shadora District Ashoknagar (M.P.) in respect of offences punishable under Sections 170, 171, 379, 420, 468, 419, 467 and 484 IPC, the appellant was arrested on 15.07.2018 and has since then been in custody.

His third application preferred under Section 439 Cr.P.C. having being rejected, the present appeal has been filed.

On 7.1.2020, following order was passed by this Court:

“Delay condoned.

Subject to deposit of Rs.50,000/- in the Registry of this Court within four weeks from today, let notice be issued, returnable on 28.2.2020 with liberty to serve the Standing Counsel for the State, additionally.”

The appellant has since then deposited the sum of Rs.50,000/-.

Having considered the facts and circumstances on record, in our view, the appellant is entitled to be released on bail, subject to furnishing of cash security in the sum of Rs.50,000/- with two like sureties in same sum with further stipulation that one of them should be a local surety. The appellant shall be produced before the Trial Court within seven days and the Trial Court shall release the appellant on bail with such other conditions as the Trial Court may deem appropriate.

The Registry of this Court is directed that the sum deposited by the appellant vide order dated 7.1.2020 alongwith interest, if any, accrued thereon, shall be sent to the Trial Court which shall be retained by the Trial Court till the disposal of the trial.

We also direct the Trial Court to conclude the proceedings as early as possible and preferably within six months from today.

The appeal is accordingly, allowed.

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

.....J.
(VINEET SARAN)

New Delhi
February 28, 2020.

ITEM NO.20

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
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No(s). 363/2020

(Arising out of impugned final judgment and order dated 09-05-2019 in MCRC No. 16531/2019 passed by the High Court Of M.p At Gwalior)

DEEPAK KUMAR

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No. 141479/2019 - EXEMPTION FROM FILING O.T.)

Date : 28-02-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s).

Mr. Umang Shankar, AOR
Mr. Pranav Arora, Adv.

For Respondent(s)

Ms. Prachi Mishra, Dy. AG
Mr. Harsh Parashar, AOR
Mr. Chaitanya, Adv

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

Leave granted.

The appeal is allowed in terms of signed order.

Pending applications, if any, also stands disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER

(Signed order is placed on the file)