

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 572 OF 2020
(Arising out of SLP (Cr1.) No. 1477/2019)

VISHANATH SHARMA

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

O R D E R

Leave granted.

We have heard Mr. D.K. Garg, learned counsel appearing for the Complainant and Mr. S.K. Sharma, learned counsel appearing on behalf of the Accused-Respondent Nos. 2 & 3. After perusing the judgment of the High Court, what becomes clear is that the deceased was allegedly shot dead by Accused No.1 (Rahul Sharma), who is the brother of one Priti Sharma, Ramnaresh (Accused No.2), who is now dead and Anmol Sharma (Accused No.3). The trial Court has, by a reasoned judgment, ultimately arrived at the conclusion that the Accused Nos. 1 and 3 were guilty, and awarded them life sentences. They have been in jail for 2 years and 3 months. The High Court, vide order dated 10.12.2018, granted bail to them without at all appreciating the gravity of the offence. All that is adverted to by way of argument is that the daughter of appellant no.1 suffers from muscular dystrophy and there is none to look after her. Given the serious nature of the case, we set aside the judgment of the High Court dated 10.12.2018 and remand the matter to the High Court to reconsider the same afresh in the light of what has been stated

above.

The appeal is disposed of accordingly.

Pending application also stands disposed of.

..... J.
(ROHINTON FALI NARIMAN)

..... J.
(NAVIN SINHA)

..... J.
(INDIRA BANERJEE)

New Delhi;
September 08, 2020.

