

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1194 OF 2017  
(Arising out of Special Leave Petition(Criminal) No. 1326 of 2017)

RAM CHANDRA SHARMA .....Appellant(s)

Versus

STATE OF UTTAR PRADESH AND ANOTHER .....Respondent(s)

W I T H

TRANSFER PETITION(CRIMINAL) NO. 181 OF 2017

RAM CHANDRA SHARMA AND OTHERS Petitioner(s)

Versus

STATE OF UTTAR PRADESH Respondent(s)

O R D E R

**Special Leave Petition (Criminal) No.1326 of 2017**

We have heard learned counsel for the parties.

Leave granted.

This appeal by special leave is directed against the impugned judgment and final order dated 17.1.2017 passed by the High Court of Judicature at Allahabad in Criminal Miscellaneous Bail Application No. 28696 of 2016, whereby the High Court has dismissed the same.

On 6.3.2017, when the matter came up for hearing, this Court made the following order :-

"Issue notice.

Mr. Sachin Mittal, learned counsel accepts notice on behalf of the respondent-State of Uttar Pradesh. He may file the counter affidavit within a period of four weeks.

It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner is depositing a Demand Draft No. 482121 dated 4.3.2017 for an amount of Rs.20,00,000/- lakh (rupees twenty lakh only), in the name of the Registrar, Supreme Court of India, New Delhi. The Registry is directed to accept the said demand draft.

Taking into consideration the said submission, we grant interim bail to the petitioner, for a period of six weeks', on any other conditions, to be imposed by the Trial Court.

List this matter after six weeks."

Learned counsel for the appellant has now filed an application on behalf of the complainant - Respondent No.2 - Satya Prakash for withdrawal of amount of Rs.20 lakh, deposited by the appellant in this Court, in favour of the Registrar, Supreme Court of India.

After hearing learned counsel for the parties at great length, we permit the complainant - Respondent No.2 to withdraw the amount of Rs.20 lakh deposited by the appellant in this Court. The Registry is directed to issue cheque in the name of the complainant - Respondent No.2 - Satya Prakash.

The amount of Rs.20 lakh which is directed to be released in favour of the complainant - Respondent No.2 be

adjusted in the subsequent proceedings if any, initiated by the complainant - Respondent No.2.

In light of the above, order dated 6.3.2017 granting interim bail to the appellant is made absolute.

This appeal is, accordingly, allowed.

**TRANSFER PETITION (CRIMINAL) NO. 181 OF 2017**

This Transfer Petition has been filed by the petitioners under Section 406 of the Criminal Procedure Code for transfer of Case No. 13052 of 2016, titled as '*State of Uttar Pradesh versus Ram Chandra Sharma and Others*', pending before the Chief Judicial Magistrate at District Court, Allahabad to a Court of appropriate jurisdiction in Delhi.

We have heard learned counsel for the parties at length.

After considering the contentions of the learned counsel for the parties and taking into consideration all the material placed before us, we allow this transfer petition and transfer Case No. 13052 of 2016, titled as '*State of Uttar Pradesh versus Ram Chandra Sharma and Others*', pending before the Chief Judicial Magistrate at District Court, Allahabad to the Chief Metropolitan Magistrate, Tis Hazari Court, Delhi.

The transferor court shall forthwith transmit the record of the aforesaid case to the transferee court.

.....J.  
(N.V.RAMANA)

.....J.  
(PRAFULLA C. PANT)

New Delhi,  
July 18, 2017

ITEM NO.9

COURT NO.9

SECTION II

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 (Crl.) No(s). 1326/2017

(Arising out of impugned final judgment and order dated 17-01-2017 in CRMBA No. 28696/2016 passed by the High Court Of Judicature At Allahabad)

RAM CHANDRA SHARMA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH &amp; ANR.

Respondent(s)

(FOR PERMISSION FOR WITHDRAWAL OF AMOUNT ON IA 6958/2017 and IA No.57190/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

T.P.(Crl.) No. 181/2017 (XVI -A)

(FOR STAY APPLICATION ON IA 42810/2017

FOR EXEMPTION FROM FILING O.T. ON IA 42811/2017)

Date : 18-07-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s)

Mr. Narendar Hooda, Sr.Adv.

Mr. Aviral Dhirendra, Adv.

Ms. Shruti Sen, Adv.

Dr. Surender Singh Hooda, AOR

For Respondent(s)

Mr. T.P. Singh, Sr.Adv.

Mr. Vinod Prasad, Adv. (Argued by)

Mr. T.N. Singh, Adv.

Ms. Ananya Pandey, Adv.

Mr. Sachin Mittal, AOR

Mr. Ardhendumauli Kumar Prasad, AOR

UPON hearing the counsel the Court made the following

O R D E R

S.L.P.(Crl.) No. 1326 of 2017

Leave granted.

This appeal is allowed in terms of the signed order.

T.P.(Crl.) No. 181 of 2017

This transfer petition is allowed in terms of the signed order.

(SUKHBIR PAUL KAUR)  
AR CUM PS

(S. SIVARAMAKRISHNA)  
ASST.REGISTRAR

(Signed order in both the matters is placed on the file)