

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.424 OF 2020
(Arising out of SLP(Criminal) No.2131 of 2020)

SUGHAR SINGH

APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

Heard learned counsel for the parties.

This appeal is against an order passed by the High Court dated 25.02.2020 by which the bail has been granted to the respondent no.2, who is accused in Case Crime No.408/2016.

Mr. Arvind Verma, learned counsel for the respondent no.2 submits that the respondent no.2 was not present at the time when the incident happened and he is a Government servant who is going to retire in this month.

Learned counsel for the appellant submits that High Court without considering all relevant facts and without giving any reason has allowed the bail application in a case under Section 302 IPC where the lady was killed by using licensed gun of respondent no.2.

Counsel for the respondent no.2 has submitted that present is a case of suicide.

We have gone through the order of the High Court. The order of the High Court does not give indication of any reason for granting bail to the respondent no.2. The order of the High Court cannot be sustained and is hereby set aside.

Learned counsel for the parties submits that chargesheet has already been filed in September 2019, however, the charges have not yet been framed.

We, only, observe that after the charges are framed, it shall be open for the respondent no.2 to file a fresh bail application before the High Court which may be considered in accordance with law after considering the materials on record.

The appeal is disposed of accordingly.

.....J.
(ASHOK BHUSHAN)

.....J.
(SANJAY KISHAN KAUL)

.....J.
(M.R. SHAH)

New Delhi;
May 28, 2020

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 (Cr1.) No(s).2131/2020

(Arising out of impugned final judgment and order dated 25-02-2020 in CRMA No.8583/2020 passed by the High Court Of Judicature At Allahabad)

SUGHAR SINGH

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No. 39181/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 39183/2020 - EXEMPTION FROM FILING O.T.)

Date : 28-05-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Kaushal Yadav, AOR

For Respondent(s)

Mr. Arvind Verma, Sr. Adv.
Mr. Vivek Singh, Adv.
Mr. Robin Khokhar, AOR

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

Leave granted.

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

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER

(signed order is placed on the file)