

(2021) 02 GUJ CK 0061

In the Gujarat High Court

Case No : Criminal Misc.Application (For Temporary Bail) No. 1 Of 2021 In R/
Criminal Appeal No. 845 Of 2018

Dilipbhai Swaroopbhai Parmar

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 11-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 302

Citation : (2021) 02 GUJ CK 0061

Hon'ble Judges : A.J.Desai, J;A.C. Rao, J

Bench : Division Bench

Advocate : Mayuri P Chauhan, Krina Calla

Final Decision : Disposed Of

Judgement

A.J.Desai, J

1. Rule. Learned Additional Public Prosecutor waives service of rule on behalf of respondent â?" State.

2. By way of the present application, the applicant â?" convict has prayed to release him on temporary bail on the ground of marriage of his son,

which is fixed on 22.02.2021. He has produced a xerox copy of invitation card on record.

3. We have gone through the Jail record of the applicant convict and perused the documents produced along with the application as well as considered

the averments made in this application as well as considered the fact of the marriage, which is verified through the concerned police officer. The

applicant is convicted mainly for the offence punishable under Section 302 of the Indian Penal Code and ordered to undergo life imprisonment. As per

Jail record, he has undergone sentence of about 6 years and 8 months. We have

also considered the fact that in past, he was released on temporary bail on three occasions and he had surrendered in time as well as was released on furlough leave on two occasions and had surrendered in time. His jail conduct is found to be good.

4. Considering the aforesaid facts and circumstances of the case and looking to the jail record of the convict, we are of the opinion that the application requires consideration and the same is allowed. The convict shall be released on temporary bail for a period of three weeks from the date of his actual release, on executing personal bond of Rs.10,000/- (Rupees Ten Thousand Only) before the Jail authority and on usual terms and conditions as may be imposed by the Jail Authority. The applicant convict to surrender before Jail Authority on completion of temporary bail, without fail. Rule is made absolute to the aforesaid extent.

5. After the completion of temporary bail period, the Jail Authorities shall admit the applicant in jail after strictly following the Circular dated 03.06.2020 relating to COVID-19 issued by the Superintendent of Jail, Ahmedabad.

6. Registry is directed to communicate this order to the concerned Jail Authority by fax / email message forthwith.