
(2011) 02 SC CK 0008

In the Supreme Court Of India

Case No : Criminal Appeal No. 627 of 2011 (Arising out of SLP (Criminal) No. 5424 of 2010) and Criminal Appeal No. 628 of 2011 (Arising out of SLP (Criminal) No. 10588 of 2010)

Harish Kumar and Another

APPELLANT

Vs

State of Uttarakhand and Another
Abha Sinha Vs State
of Uttarakhand and Others

RESPONDENT

Date of Decision : 25-02-2011

Acts Referred:

Citation : (2012) 11 SCC 547

Hon'ble Judges : Deepak Verma, J; Dalveer Bhandari, J

Bench : Division Bench

Judgement

1. Leave granted.
2. We have heard the learned Counsel for the parties.
3. Learned Counsel for the State of Uttarakhand submits that the State does not want custodial interrogation of the Appellants if the Appellants are directed to appear before the Trial Court on 17th March, 2011 (the date fixed for hearing of the case by the Trial Court). We direct the Appellants to appear before the Trial Court on 17th March, 2011 and on all other subsequent dates as and when they are required by it. In case the Appellants do not abide by the aforesaid directions of this Court, then the interim relief granted to them by this Court can be modified by the Trial Court.
4. In the facts and circumstances of this case, we deem it appropriate to direct the Appellants to deposit their passports with the Trial Court on or before the next date of hearing and the Trial Court would also be at liberty to impose any other conditions which it deems fit and proper in the facts and circumstances of the case.
5. In the event of arrest, the Appellants are directed to be released on bail on their furnishing personal bond in the sum of Rs. 50,000/- (Rupees Fifty

thousand) with two sureties each in the like amount to the satisfaction of the Trial Court.

6. We request the Trial Court to conduct the trial of the case on day-to-day basis and conclude the same as expeditiously as possible.

7. These appeals are disposed of with the aforementioned observations and directions.