
(2006) 06 CHH CK 0012
In the Chhattisgarh High Court
Case No : Criminal Appeal No. 1930 of 2000

Jayanti Lal Verma and Others

APPELLANT

Vs

State of M.P. (Now C.G.)

RESPONDENT

Date of Decision : 28-06-2006

Acts Referred:

Penal Code, 1860 (IPC) — Section 302

Citation : (2006) 3 CGLJ 366

Hon'ble Judges : L.C. Bhadoo, J;Dhirendra Mishra, J

Bench : Full Bench

Advocate : Arun Kochar, for the Appellant; U.N.S. Deo, Government Advocate, for the Respondent

Final Decision : Allowed

Judgement

1. Heard on M.(Cri.).P. No. 2315/05 filed on behalf of accused/Appellant No. 1 - Jayanti Lal Verma for suspension of sentence and grant of bail during the pendency of this appeal.
2. This is the third bail application. Earlier two applications were dismissed as withdrawn.
3. The accused/Appellant No. 1 along with his mother and father were convicted for commission of offence punishable u/s 302 of the IPC and sentenced to undergo imprisonment for life for committing murder of Sahodra wife of the present accused/Appellant. Accused/Appellant No. 2 father of accused/Appellant No. 1 has already died and accused/Appellant No. 3 mother of present Appellant has already been released on bail.
4. Learned Counsel for the accused/Appellant submitted that the accused/Appellant is in custody since 1.9.1999, thereby he is in custody for about seven years. He further submitted that the conviction is based on the circumstantial evidence and moreover, this appeal is likely to take some more time for its final disposal, therefore he be enlarged on bail

5. On the other hand learned Counsel for the State opposed the bail application.
6. Having heard learned Counsel for the parties and considering the facts and circumstances of the case, we are of the opinion that it is a fit case in which the substantive sentence imposed on accused/Appellant No. 1 Jayanti Lal Verma should be suspended and he should be released on bail, during the pendency of this appeal. Accordingly M.(Cri.).P. No. 2315/2005 is allowed.
7. Execution of substantive sentence imposed on accused/Appellant No. 1 Jayanti Lal Verma shall remain suspended and he is directed to be released on bail on his executing a personal bond in the sum of Rs. 10,000/- (Rupees ten thousand only) with one surety in the like sum to satisfaction of the trial Court for his appearance before the trial Court on 28.8.2006. He shall thereafter continue to appear before the trial Court on all such other subsequent dates as are given to him by the said court, till the disposal of this appeal.
8. In view of this order M.(Cri.).P. No. 3370/04 stands disposed of.