

(2001) 04 CHH CK 0009
In the Chhattisgarh High Court
Case No : Criminal A. No. 2441 of 2000

Laxminarayan Giri and Others

APPELLANT

Vs

State of Madhya Pradesh

RESPONDENT

Date of Decision : 16-04-2001

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Penal Code, 1860 (IPC) — Section 302, 34, 498A

Citation : (2001) 2 DMC 340

Hon'ble Judges : W.A. Shishak, C.J;R.S. Garg, J

Bench : Full Bench

Advocate : Arun Kochar, for the Appellant; Ranbir Singh, G.A., Sunil Sinha, for the Respondent

Judgement

1. The said application has been made for appellant No. 2 (Ramlal) and No. 3 (Jundribai). Learned Counsel for the appellant submits that the application for appellant No. 2 has become infructuous in view of his death. The application so far as it relates to appellant No. 2 is concerned, is rejected. However, learned Counsel for the State may, verify from the concerned police station about the date of death of the appellant No. 2 within a period of four weeks and place the information on record.

2. Taking into consideration the age of the appellant No. 3 which is shown to be about 75 years and further that she is a woman we are of the opinion that appellant No. 3 for this only reason deserves to be released on bail. The application for the appellant No. 3 Jundribai is allowed.

3. The substantive jail sentence awarded to the appellant No. 3 is suspended and she is directed to be released on bail on her furnishing a personal bond in a sum of Rs. 10,000/- with one surety in the like amount for her appearance before the Registry of this Court on 11th September, 2001. Thereafter the appellant No. 3 shall appear before the Trial Court on the date given to her in this behalf by the Registry of this Court and thereafter shall appear on all dates as may be given to

her by the said Court in this behalf with an interval of six months till the disposal of this appeal.