

(2000) 12 AHC CK 0016
In the Allahabad High Court
Case No : Criminal Revision No. 2765 of 2000

Yaqoob and Others

APPELLANT

Vs

State of U.P. and Another

RESPONDENT

Date of Decision : 18-12-2000

Acts Referred:

Penal Code, 1860 (IPC) — Section 307, 324, 506

Citation : (2001) 2 ACR 1761

Hon'ble Judges : V.K. Chaturvedi, J

Bench : Single Bench

Judgement

V.K. Chaturvedi, J.—This revision is directed against order dated 4.12.2000 passed by Vth A.C.J.M., Aligarh in case No. 545 of 1997 under Sections 307 and 506, I.P.C. whereby revisionists were directed to surrender before the trial court.

2. Heard Sri S. P. Srivastava, learned Counsel for the revisionists and the learned A.G.A.

3. It has been argued that a first information report has been registered on 25.6.1997 at Crime No. 97 of 1997 under Sections 307 and 506, I.P.C. at police station Kotwali, district Aligarh. After receipt of a report from doctor, case mentioned above was converted into case under Sections 324 and 506, I.P.C. and the revisionists were released on bail by the Investigating Officer and the charge-sheet was also submitted under Sections 324, 506, I.P.C., a copy of the charge-sheet is Annexure-4. After submission of the charge-sheet, Investigating Officer was changed and without obtaining any permission from the Court concerned or from senior police officer concerned, Investigating Officer submitted another charge-sheet under Sections 307 and 506, I.P.C. for the same offence. An application was moved by the revisionists before the Court concerned with the prayer that one month time be allowed to them for obtaining bail order from the Sessions Judge. By the impugned order, application was rejected.

4. Having heard learned Counsel for the parties and perusing materials on record

and also taking into consideration the fact that the revisionists were admitted on bail in the case mentioned above by the Investigating Officer and they have not misused the liberty of bail, it will be just and proper that revisionists be allowed to continue on bail on their furnishing fresh bail bonds for the offences under Sections 307 and 506, I.P.C. It is accordingly directed that Vth A.C.J.M., Aligarh, shall accept the fresh bail bonds for the offence mentioned above and the revisionists shall continue to be on bail.

5. With these observations, revision is disposed of finally.