

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 454 OF 2017  
[ @ SPECIAL LEAVE PETITION (CRL.) No. 342 OF 2017 ]

VISHNU

Appellant (s)

VERSUS

STATE OF RAJASTHAN & ANR.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellant has been in custody since 01.12.2015 in connection with Case No. 238 of 2015 registered at Police Station Bair, Rajasthan under Sections 147, 148, 149, 323, 341, 324, 325, 307 IPC.

3. We are informed that the trial has commenced but only one witness has been examined. It is seen from the FIR that the genesis of the incident is the dispute on the firing of crackers and that there is no other dispute between the parties.

4. When the matter came up before this Court, we issued notice to the de-facto complainant as well. However, there is no appearance on his behalf.

5. Having regard to the factual background of the case, we are of the view that during the pendency of the trial, the appellant should be released on bail, on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the competent court.

6. We make it clear that the appellant shall cooperate with the trial and shall not influence witnesses in any way. In case of any non-cooperation on the part of the appellant, it shall be open to the State to apply for cancellation of bail.

7. With the above observations and directions, the appeal is disposed of.

.....J.  
[ KURIAN JOSEPH ]

.....J.  
[ R. BANUMATHI ]

New Delhi;  
March 03, 2017.