

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 521 OF 2012
(Arising out of SLP(Cr1.) No.9662/2011)

SHIV MOHAN KAPOOR Appellant(s)
:VERSUS:
STATE OF U.P. AND ANR. Respondent(s)

WITH

CRIMINAL APPEAL NO. 522 OF 2012
(Arising out of SLP(Cr1.) No. 2023/2012)
(CRL.M.P. No.5795/2012)

MOTI SINGH SIKARWAR Appellant(s)
:VERSUS:
STATE OF U.P. AND ANR. Respondent(s)

O R D E R

1. Leave granted.
2. We have heard the learned counsel for the parties.
3. The appellants filed applications for bail before the High Court and a learned Single Judge of the High Court, on considering the case of co-accused Asha Rani Verma to whom bail had already been granted, granted bail to the appellants on the ground of parity. On an application made by the complainant, the High Court cancelled the bail

granted to the appellants.

4. At the outset, it is submitted by the learned counsel appearing on behalf of the appellants that both the appellants have already remained in jail for more than 3 months.

5. On a consideration of the totality of the facts and circumstances of this case, in our considered view, the impugned order passed by the High Court cancelling the bail granted to the appellants is harsh and drastic. Consequently, the impugned order passed by the High Court is set aside and the appellants are granted bail on the following conditions:

(i) The appellants shall report to the police station concerned once a week i.e. on every Sunday at 11.00 a.m.

(ii) The appellants shall remain present in Court on each date of hearing and in case the appellants are absent, the Trial Court would be at liberty to cancel the bail granted to the accused-appellants.

(iii) The appellants shall fully cooperate with the Trial Court.

(iv) The Trial Court shall carefully watch the conduct of the appellants and in case the Trial

Court is of the view that they are interfering with the process of the Court, the Trial Court would be at liberty to cancel the bail granted to them.

6. In the peculiar facts and circumstances of this case, we request the Trial Court to conclude the trial as expeditiously as possible, in any event, within six months from the date of communication of this order.

7. With the aforementioned observations and directions these appeals are disposed of.

.....J
(DALVEER BHANDARI)

JUDGMENT

.....J
(DIPAK MISRA)

New Delhi;
March 12, 2012.