

(2009) 05 AHC CK 0200

Allahabad High Court

Case No: None

Ram Raj Singh

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision: May 18, 2009

Hon'ble Judges: Alok Kumar Singh, J

Final Decision: Disposed Of

Judgement

Alok K. Singh, J.

Heard.

Admit.

Call for the lower court record.

List the appeal for hearing on its turn when the record is received along with Criminal Appeal No.1140 of 2009.

Heard learned counsel for the appellants and learned A.G.A. on the prayer for bail.

The appellants have been convicted and sentenced in Sessions Trial No.498 of 2008 as under

- 1.Under Section 323 I.P.C.A fine of Rs.500/ each.
- 2.Under Section 325 I.P.C.Two years" R.I. with a fine of Rs.500/ each.
- 3.Under Section 504 I.P.C.A fine of Rs.500/ each.

It is submitted that the severity of punishment is not much and the nature of accusation is also not very serious. During trial they were on bail which they did not misuse. Presently they are on interim bail. It is also submitted that speedy justice is a fundamental right but the appeal may take a couple of years or even more in its final disposal. The appellants have every hope of success in the appeal.

The bail is, however, opposed by learned A.G.A.

In view of the aforesaid facts and circumstances and without entering into merits of the case, I find it to be a fit case for granting bail. Let the appellants (Ram Raj Singh and Balbir Singh) be enlarged on bail on their furnishing personal bonds and two sureties each in the like amount to the satisfaction of the Magistrate/court concerned.

However, the fine is not stayed. Let the same be deposited within one month from the date of their release, if not already deposited. Subject to the above the sentence of imprisonment shall remain suspended during the pendency of the appeal.