

Paramjit Singh vs State (Nct Of Delhi) on 13 January, 1999

Equivalent citations: AIR2000SC3473B, 2000CRILJ3184, (1999)9SCC252, AIR 2000 SUPREME COURT 3473(2), 1999 (9) SCC 207, AIR 2000 SUPREME COURT 3473(1), 2000 AIR SCW 2230, 2000 AIR SCW 2231, 2000 CRI. L. J. 3184, 1999 SCC(CRI) 1143, (2000) 3 PUN LR 492, 1999 (9) SCC 252, 1999 SCC(CRI) 1156, 2000 (126) PUN LR 492, (2000) 1 TAC 202, (2001) 1 ICC 228

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Bench: M.B. Shah

ORDER

1. Leave granted.

2. The appellant is being prosecuted for an offence under the provisions of Terrorist and Disruptive Activities (Prevention) Act, 1987. He has been lingering in jail since May, 1992. His co-accused Jasbir Singh was released on bail by the learned Designated Judge on 16-8-1992. The appellant moved this Court earlier for being released on bail and by order dated 6-11-1997 this Court had dismissed the prayer with the observation that if the trial is not concluded within a reasonable time it will be open to the appellant to apply again to the Designated Court for releasing him on bail. As the trial was not concluded till May 1998 an application for bail was filed but that was rejected by the learned Designated Judge. It has been stated on affidavit that the trial of the case was fixed to several dates in May and June 1998 but the prosecution did not produce any evidence on any of the above dates. When the matter was listed on 7th of December, 1998 the counsel for the Delhi Administration wanted two weeks time to file an affidavit indicating the stage of the trial. Thereafter two adjournments have been given. But it is unfortunate that no affidavit has been filed on behalf of the Delhi Administration nor the counsel appearing for the Delhi Administration is present in Court. In the circumstances, we have no other option than to release the appellant on bail. We accordingly direct that the appellant be released on bail to the satisfaction of the learned Designated Judge, Patiala House, New Delhi.

3. The appeal is allowed.