

Supreme Court of India

Yashvinder Chauhan And Anr. vs State Through Chief Secretary, ... on 19 November, 1993

Equivalent citations: 55 (1994) DLT 467 SC

Author: K J Reddy

Bench: K J Reddy, R . G.N.

JUDGMENT K. Jayachandra Reddy, J.

1. The two appellants were released on bail by the Trial Court subject to certain conditions. Thereafter, the State preferred an application for cancellation of bail. The High Court by a detailed order cancelled the bail. Hence the present appeals. Admittedly, this is a case of circumstantial evidence. The accused are said to have used hockey sticks. However, we do not want to discuss the merits of the case for obvious reasons. The learned Trial Judge while granting bail, imposed the condition that the accused shall not enter the territorial jurisdiction of P.S. Okhla Industrial Area and P.S. Ambedkar Nagar New Delhi without the specific permission of the concerned Court and shall * maintain peace and in no way shall temper wither interfere with the prosecution evidence. Now the allegation in that they tried to threaten the witnesses but having regard to the facts and circumstances, we think that by imposing more stringent condition, they may be let out on bail. Accordingly, we set aside the order of the High Court. The appellants shall continue to be on bail on the said condition imposed by the Trial Judge but in addition, we direct that the appellants shall report to the Ambedkar Nagar Police Station twice a day in the morning and in the evening between 8.00 a.m. and 10.00 a.m. and 4.00 p.m. and 6.00 p.m. They should enter Ambedkar Nagar Area only for the purpose to report. Thereafter they should not enter the area of P.S. Ambedkar Nagar as well as the territorial jurisdiction of P.S. Okhla. If they do not co-operate in the process of conducting the trial, the State is at liberty to move an application before the Trial Court for cancelling the bail.

2. The appeals are disposed of accordingly.