

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1159 OF 2013
(Arising out of SLP(Crl.) No.6599/2013)

(CRLMP.NO.19263/2012)

SUMEET SURI
STATE OF NCT OF DELHI & ANR.

:VERSUS:

Appellant(s)
Respondent(s)

O R D E R

Leave granted.

2. Heard Mr. Mukul Rohatgi, learned senior counsel in support of this appeal, Mr. Rakesh Khanna, learned Additional Solicitor General for respondent No.1 and Mr. Rakesh Dwivedi, learned senior counsel appearing for respondent No.2.

3. We have perused the impugned order passed by the High Court. The appellant is being proceeded under FIR No.125/2010 filed by respondent No.2 against the appellant for various offences such as breach of trust, forgery, misappropriation etc. The appellant applied for bail which the learned Magistrate did not grant. The appellant was granted bail by the learned Sessions Judge but the learned Single Judge of the High Court has cancelled the bail by his order dated 27.8.2012 passed in Criminal M.C. No.198/2011 which was filed by the State against the order dated 25.11.2010 passed by the learned Additional Sessions Judge. Until the passing of the order by the Sessions Judge, the appellant remained in custody for 18 days.

4. Having considered all the facts of this case and the submissions of learned counsel for the rival parties, we are of the view that the custodial interrogation is not required in the present case. The order passed by the High Court is, therefore, set aside. Consequently the order passed by the learned Additional Sessions Judge on 25.11.2010 granting bail to the appellant on the terms contained therein will stand revived.

5. We are told that there are certain subsequent events and if there are any subsequent offences in which the appellant is involved, it will be open for the State to take necessary steps.
The appeal is allowed accordingly.

.....J

(H.L. GOKHALE)

.....J
(J. CHELAMESWAR)

New Delhi;
August 12, 2013.

ITEM NO.60 COURT NO.11 SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl)... 2012
CRLMP.NO(s). 19263

(From the judgement and order dated 27/08/2012 in CRLMC No.198/2011 of the
HIGH COURT OF DELHI AT NEW DELHI)

SUMEET SURI Petitioner(s)

VERSUS

STATE OF NCT OF DELHI & ANR. Respondent(s)

(For exemption from surrendering and office report)

Date: 12/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Siddharth Singla, Adv.
Ms. Swikriti Singhania, Adv.

For Respondent(s) Mr. R.K. Khanna, ASG
Ms. Priya Hingorani, Adv.
Mr. D.S. Mahra, Adv.
For Mr. B.V. Balaram Das, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Gaurav Liberhan, Adv.

Ms. Mukti Chowdhary, Adv.
Mr. Chetan Shandaliya, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

Heard Mr. Mukul Rohatgi, learned senior counsel in support of this appeal, Mr. Rakesh Khanna, learned Additional Solicitor General for respondent No.1 and Mr. Rakesh Dwivedi, learned senior counsel appearing for respondent No.2.

The order passed by the High Court is set aside, the order passed by the learned Additional Sessions Judge on 25.11.2010 granting bail to the appellant will stand revived and the appeal is allowed in terms of the signed order.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER

(Signed order is placed on the file)