



2021 INSC 505

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 1216/2019

ZARIFUDDIN

Appellant(s)

VERSUS

ABDUL QADIR & ANR.

Respondent(s)

ORDER

With the consent of the parties we have taken up the criminal appeal for hearing.

This appeal takes exception to the order and judgment dated 11.04.2018 passed by the High Court of Judicature at Allahabad, whereby Criminal Miscellaneous Bail Application No. 17393 of 2017 filed by the respondent no. 1 before us, namely Mohd. Abdul Qadir has been allowed.

On the special leave petition being filed, this Court had stayed release at respondent no.1 in terms of the impugned order.

It is pointed out by the learned counsel for the parties that nine out of nineteen witnesses including four public witnesses have been examined by the prosecution. However, some of the public witnesses including the victims have to be examined.

The Charge sheet in this case has been filed on 10.08.2016.

Keeping in view the facts of the present case and nature of the allegations, we are inclined to allow the present appeal and set aside the impugned order, granting bail to Mohd. Abdul Qadir, respondent no. 1.

However, we issue directions to the Trial Court to conclude

the trial within a period of six months. In case trial is not concluded within the said time, the respondent no.1 will be entitled to move fresh application of bail which would be considered and decided on its own merits in accordance with the law.

Needless to say that respondent no.1 and other accused would cooperate with the Trial Court for expeditious and timely disposal as directed..

The Trial Court is directed to submit report to this Court regarding compliance of the direction given.

The appeal is disposed of in above terms.

Pending application(s), if any, disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(BELA M. TRIVEDI)

NEW DELHI
20th SEPTEMBER, 2021