



242-2 CRM-A-2731-MA-2017

UDAI BHAN GUPTA

V/S

M.S YASH CONSTRUCTIONS AND ORS

Present: Mr. Shubham Gupta, Advocate (Through VC)
for the applicant-appellant.

Mr. Anshul Sharma, Advocate for the respondents.

Main case

Counsel appearing for the applicant-appellant submits that the present application was filed against acquittal in the year 2017 and they have a very good case on merit.

On the contrary, respondents' counsel submits that the judgment of acquittal is well reasoned and leave to appeal should not be granted. He further submits that in case, this Court grants leave to appeal and admits the main appeal, its turn will not come for hearing for decades, as such pendency of the appeal may be treated inconsequential for the respondents.

Leave to appeal is granted.

Counsel for the respondent(s) further submits that they be exempted from furnishing bail bonds/ surety bonds before the concerned trial Court or Chief Judicial Magistrate. He undertakes to comply with the orders if the judgment of acquittal is reversed and would comply with the directions passed by the Court.

Given such undertaking, there shall be no need to furnish bail bonds/ surety bonds by the respondent(s). The parties shall be at liberty to file an application for mediation/ settlement, in case arrives at between them.

There would be no need for a certified copy of this order for furnishing bonds, and any Advocate for the accused can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

Registry to communicate this order to the trial Court without any delay.



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Main appeal

Admit.

List for final hearing on its own turn as per queue following the roster in the said category.

It is clarified that pendency of the present appeal before this Court shall be inconsequential in any manner whatsoever.

(ANOOP CHITKARA)
JUDGE

05.11.2024
Sonia Puri