

ITEM NO.3

COURT NO.7

SECTION IIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 6888/2015
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 30/01/2015
IN CRLBA NO. 1570/2014 PASSED BY THE HIGH COURT OF BOMBAY)

ANGELA HARISH SONTAKKE

PETITIONER(S)

VERSUS

STATE OF MAHARASHTRA RESPONDENT(S)
[WITH APPLN.(S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND PERMISSION TO PLACE ADDL. DOCUMENTS ON RECORD AND
INTERIM RELIEF AND OFFICE REPORT]

WITH

SLP(CRL) NO. 7949/2015

[WITH APPLN.(S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND EXEMPTION FROM FILING O.T. AND PERMISSION AND OFFICE
REPORT]

SLP(CRL) NO. 7947/2015

[WITH APPLN.(S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND EXEMPTION FROM FILING O.T. AND PERMISSION AND OFFICE
REPORT]

Date : 04/05/2016 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s)

SLP(CRL) NO.6888/15

Ms. Kamini Jaiswal, Adv.
Mr. Gautam Bhatia, Adv.
Ms. Shumaila Altaf, Adv.

SLP(CRL) 7949/15 &
SLP(CRL) 7947/15

Ms. Rebecca Mamen John, Sr. Adv.
Mr. Jawahar Raja, Adv.
Mr. Harsh Bohra, Adv.
Ms. Sahana Maniesh, Adv.
Mr. Pukhrambam Ramesh Kumar, Adv.
Mr. Sumit Kumar Vats, Adv.

For Respondent(s)

Mr. Nishant Ramakantrao Katneshwarkar, Adv.
Mr. Arpit Rai, Adv.
Ms. Deepa K., Adv.

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

SLP(C) NO.6888/2015

Exemption from filing certified copy of the impugned judgment is granted.

Permission to file additional documents is granted.

Leave granted.

The appeal is allowed in terms of the signed order.

SLP(CRL) NOS.7949/2015 AND 7947/2015

List the matters on a Tuesday in the month of July, 2016.

The learned State counsel as well as the learned counsel for the petitioners will inform the Court with regard to the progress of the trial on or before the next date fixed.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

facts like the period of custody suffered and the likely period within which the trial can be expected to be completed.

3. The accused appellant has been in custody since April, 2011 i.e. for over five years. The trial is yet to commence inasmuch as the learned State Counsel has submitted that the 9th of May, 2016 is the first date fixed for the trial. There are over 200 witnesses proposed to be examined. The accused appellant is a lady. She has also been acquitted of similar charges leveled against her in other cases. Taking into account all the aforesaid facts we are of the view that the accused appellant should be admitted to bail. We accordingly direct that the accused appellant Angela Harish Sontakke be released on bail by the learned trial Court in connection with Sessions Case No.655 of 2011 arising out of CR No.19/11, PS, ATS Kalachowki, Mumbai.

We also make it clear that the learned trial Court will consider and impose appropriate conditions subject to which the accused appellant will be released on bail in terms of the present order so as to ensure that the accused appellant is available for trial. In this regard, the learned Public Prosecutor would be at liberty to address the learned trial Court so far as the conditions subject to which the accused appellant will be allowed to go on bail in terms of the present order.

4. Consequently and in the light of the above, we allow this appeal and set aside the order of the High court.

.....,J.
(RANJAN GOGOI)

.....,J.
(PRAFULLA C. PANT)

NEW DELHI
MAY 04, 2016