



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.4763 OF 2024
(Arising out of S.L.P.(Criminal) No.14769 of 2024)

NANHE LAL VERMA

... APPELLANT(S)

VS.

STATE OF MADHYA PRADESH

... RESPONDENT(S)

O R D E R

Leave granted.

Heard the learned counsel appearing for the parties.

The maximum substantive sentence of the appellant is 4 years. The appeal against the conviction filed by the appellant is of the year 2024. Considering the huge pendency of old cases, it is obvious that the appeal is not likely to be heard before the appellant undergoes the entire sentence.

We may also note here that the High Court has not correctly read the order of this Court in the case of *Atul alias Ashutosh v. State of Madhya Pradesh*¹. In the facts of the case, the accused had undergone half of the sentence. However, this Court has not laid down that the case for bail can be considered only after undergoing half of the sentence. What is material is paragraph 4 of

1. (2024) 3 SCC 663.

the said order which reads thus:

"4. Before parting with order, we must note here that notwithstanding several decisions of this Court holding that when there is a fixed term sentence and especially when the appeal is not likely to be heard before completing entire period of sentence, normally suspension of sentence and bail should be granted, we find that in several deserving cases, bail is being denied. Such cases should never be required to be brought before this Court."

Accordingly, the appellant is entitled to the relief of suspension of sentence and bail, pending the final disposal of the criminal appeal.

For that purpose, the appellant shall be produced before the Special Court within a maximum period of one week from today. The Special Court shall enlarge the appellant on bail on appropriate terms and conditions till the disposal of the appeal.

The appeal is accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
November 25, 2024

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 (CrI.) No(s). 14769/2024

[Arising out of impugned interim order dated 23-09-2024 in IA No.20036/2024 in CRLA No.9295/2024 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

NANHE LAL VERMA

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

Date : 25-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Vikas Upadhyay, AOR
Mrs. Ankita Kashyap, Adv.
Mr. Arjun Singh Tomar, Adv.

For Respondent(s)

Mr. Nishant Ramakantrao Katneshwarkar, AOR

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

Leave granted.

The appeal is allowed in terms of the signed order.

The appellant shall be produced before the Special Court within a maximum period of one week from today. The Special Court shall enlarge the appellant on bail on appropriate terms and conditions till the disposal of the case.

Pending application, if any, also stands disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)