

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 302 OF 2022
(Arising out of SLP (CrI.) No. 9969 of 2021)

DEEPAK SHRIKANT AGGARWAL

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

O R D E R

Leave granted.

By the impugned order, the High Court has refused to grant regular bail to the appellant. The appellant had pressed the aspect of the appellant being in custody for more than 6 years in a case where for the offence in question, the maximum term is 7 years. He relied on Section 436 A of the Code of Criminal Procedure.

The High Court, however, took the view that having regard to the seriousness of the offence, the appellant should not be released on bail.

After hearing learned counsel for the appellant and learned counsel for the respondent-State, noticing the fact that the appellant has spent more than 6 years in a case where the maximum sentence extends up to 7 years, the appellant should be released on bail.

The appeal is allowed. The impugned order is set

aside. The appellant shall released on bail subject to the terms and conditions as may be fixed by the trial Court.

....., J.
[K.M. JOSEPH]

....., J.
[HRISHIKESH ROY]

New Delhi;
March 02, 2022.

ITEM NO.10

COURT NO.10

SECTION II-A

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

Criminal Appeal No. 302/2022
(Arising out of SLP (CrI.) No. 9969/2021)
(Arising out of impugned final judgment and order dated 30-11-2021
in Criminal Bail Application No. 2306/2021 passed by the High Court
of Judicature at Bombay)

DEEPAK SHRIKANT AGGARWAL

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(With IA No. 167288/2021 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No. 167289/2021 - EXEMPTION FROM FILING
O.T.)

Date : 02-03-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Appellant(s) Mr. Aniket Ujwal Nikam, Adv.
Mr. Ashish Satpate, Adv.
Mr. Anand Dilip Landge, AOR

For Respondent(s) Mr. Sachin Patil, AOR
Mr. Rahul Chitnis, Adv.
Mr. Aaditya A. Pande, Adv.
Mr. Geo Joseph, Adv.
Ms. Shwetal Shepal, Adv.

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.

Pending applications stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(RENU KAPOOR)
BRANCH OFFICER

[Signed order is placed on the file.]