

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2023
(arising out of SLP (Cr1.) No. 1077 of 2023)

ROHIT JAISWAL APPELLANT(S)

VERSUS

STATE OF JHARKHAND & ANR. RESPONDENT(S)

O R D E R

Leave granted.

The impugned judgment/order, while granting benefit of anticipatory bail, directs the appellant - Rohit Jaiswal to deposit Rs.9,00,000/- (rupees nine lakh only) as *ad interim* victim compensation.

This Court *vide* order dated 20.01.2023, while issuing notice, and granting interim protection to the appellant - Rohit Jaiswal, had stayed the condition to deposit Rs.9,00,000/-(rupees nine lakh only).

Heard the learned counsel appearing on behalf of the appellant, learned counsel for the State of Jharkhand, as well as, learned counsel appearing on behalf of the informant/complainant.

In the present case, the appellant - Rohit Jaiswal and respondent no.2/informant post their marriage, have lived together from December 2020 till March 2021.

Keeping in view the facts of the present case, as well as, the impugned judgment/order passed, we are of the opinion that the High Court was not justified in imposing the condition that the

appellant - Rohit Jaiswal should deposit Rs.9,00,000/- (rupees nine lakh only) as *ad interim* victim compensation. The said condition is hereby deleted. We clarify that we have not interfered with the grant of anticipatory bail and other conditions as imposed.

We must also record that on a suggestion given by this Court, learned counsel appearing on behalf of the appellant has obtained instruction and states that the appellant - Rohit Jaiswal would pay Rs.10,000/- (rupees ten thousand only) per month to respondent no.2/informant w.e.f. 01.09.2023. the Respondent no.2/ informant has been awarded maintenance at the rate of Rs.4,000/- (rupees four thousand only) per month. The maintenance amount is being enhanced in view of the statement made by the learned counsel appearing on behalf of the appellant to Rs.10,000/- (rupees ten thousand only) per month. The appellant - Rohit Jaiswal will continue to make payment in terms of the statement. In case of default, respondent no.2/informant will be entitled to take steps/recourse for execution before the trial court. The maintenance fixed on the statement of the appellant - Rohit Jaiswal, may be modified, enhanced or reduced by the trial court/appellate court.

The impugned judgment/order is partly modified and the appeal is allowed in the aforesaid terms.

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

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
SEPTEMBER 27, 2023.

ITEM NO.1

COURT NO.3

SECTION II-A

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 (Cr1.) No(s). 1077/2023

(Arising out of impugned final judgment and order dated 13-04-2022 in ABA No. 2341/2022 passed by the High Court of Jharkhand At Ranchi)

ROHIT JAISWAL

Petitioner(s)

VERSUS

STATE OF JHARKHAND & ANR.

Respondent(s)

(IA No. 7158/2023 - EXEMPTION FROM FILING O.T.)

Date : 27-09-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Shreeyash U Lalit, Adv.
Mr. Mahesh Kumar, Adv.
Mr. Nikhilesh Kumar, Adv.
Mr. Aman Preet Singh Rahi, Adv.
Ms. Devika Khanna, Adv.
Mrs. V D Khanna, Adv.
Mr. Vmz Chambers, AOR

For Respondent(s) Mr. Vishnu Sharma, Adv.
Ms. Madhusmita Bora, AOR
Mr. Pawan Kishore Singh, Adv.
Mr. Dipankar Singh, Adv.
Mrs. Anupama Sharma, Adv.
Mr. Amar Jyoti Sharma, Adv.
Ms. Vedika Dalmia, Adv.

Mr. M. M.singh, Adv.
Mr. Naveen Thakur, Adv.
Mr. Rameshwar Prasad Goyal, 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.

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

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)