

COURT NO. 1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

2.

OA (Appeal) 2584/2023

JWO Rama Kumar SB (Now Ex LAC) (Convict)
thru his wife Smt D Nagalaxmi

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

: Shri Durgesh Kumar Sharma, Advocate

For Respondents

: Shri Harish V Shankar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

O R D E R
05.09.2023

OA (Appeal) 2584/2023

Appeal is admitted for hearing.

2. Post admission notice is waived by Shri Harish V Shankar, learned counsel appearing for the respondents. He may file his reply within eight weeks.

3. Heard on the question of suspension of sentence and grant of bail.

4. Considering the fact that the detention is only for a period of six months and the appellant has already undergone substantial part of the sentence in custody during the pre-trial period, which has to be set off from the period of conviction, we direct that the sentence of detention shall remain suspended during the pendency of this appeal and the appellant be released on bail on his furnishing a bail

bond in the sum of Rs.5,000/- (Rupees Five Thousand Only) with one surety in the like amount to the satisfaction of the Principal Registrar of this Tribunal ensuring that he will not leave the country without the permission of the Principal Registrar.

5. It is reported that the interim bail was granted to the appellant at the pre-trial stage and the appellant had furnished a bail bond in the sum of Rs.5,000/- (Rupees Five Thousand Only) before the Deputy Registrar (J) in the form of a fixed deposit; if that be so, it can be used for grant of bail in the instant case also.

6. List the matter again on **05.12.2023**.

7. A copy of this order be provided ***DASTI*** to learned counsel for the parties.

[RAJENDRA MENON]
CHAIRPERSON

[P.M. HARIZ]
MEMBER (A)

Neha