

ITEM NO.3

COURT NO.5
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION X

Writ Petition(s)(Criminal) No(s). 119/2019

MUKESH MODI & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION and IA No.66758/2019-STAY APPLICATION)
[FOR FURTHER ARGUMENTS]

WITH

SLP(Cr1) Nos. 3770-3771/2019 (II-B)

SLP(Cr1) Nos. 3766-3767/2019 (II-B)

(FOR ADMISSION and I.R. and IA No.67140/2019-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

Date : 30-04-2019 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE VINEET SARAN

For Parties:

Mr. Tushar Mehta, SG
Mr. Kanu Agarwal, Adv.
Mr. Neeraj Kumar Sharma, AOR

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Kunal Verma, AOR
M/s. Law Associates, AOR

Mr. Sachin Sharma, Adv.
Mr. Arvind Kumar Sharma, AOR

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

SLP(Cr1) Nos. 3770-3771/2019 & SLP(Cr1) Nos. 3766-3767/2019:

We have heard learned counsel on both sides at some length.
What Shri Tushar Mehta, learned Solicitor General appearing on
behalf of the Union of India impugns an order dated 18.04.2019 in
which interim bail was granted for reasons stated therein and a

period of 15 days from the date on which Mukesh Modi and Rahul Modi were to be released was granted as breathing time within which they would stay outside jail.

On 20.04.2019, the Special Court disposed of the bail application with elaborate reasons stating why they should not be released on bail. On 22.04.2019, the Punjab & Haryana High Court further went on to stay its earlier order of 18.04.2019 insofar as the 15 day period is concerned, with the result that on and from 22.04.2019, the petitioners have been in jail.

We have been told that the strike that has been on till now has now been called off.

In this view of the matter, it is open for the petitioners before us to avail of whatever remedies they have in law. We have also been informed that by a recent order dated 29.04.2019, the matter is to come up on 10.05.2019, after adjudication by this Court. It is open for all parties, including the Union of India, to take whatever steps they deem appropriate. Insofar as the present petitions are concerned, it is enough to state that they are disposed of without granting any bail or interim bail to the petitioners. It is made clear that we have not decided anything on the merits of the case.

Accordingly, the Special Leave Petitions stand disposed of.

Writ Petition(s)(Criminal) No(s). 119/2019:

List on Wednesday, the 17th July, 2019.

(R. NATARAJAN)
COURT MASTER (SH)

(RENU DIWAN)
ASSISTANT REGISTRAR