

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CURATIVE PETITION (CRIMINAL) NO.18 OF 2021

IN

REVIEW PETITION (CRIMINAL) NO.354 OF 2020

IN

CRIMINAL APPEAL NO.271 OF 2020

SHAKTI INTERNATIONAL FASHION LINKERS & ORS.

Petitioner(s)

VERSUS

APS FOREX SERVICES PVT. LTD.

Respondent(s)

WITH

CURATIVE PETITION (CRIMINAL) NO.19 OF 2021

IN

REVIEW PETITION (CRIMINAL) NO.353 OF 2020

IN

CRIMINAL APPEAL NO.272 OF 2020

SHAKTI INTERNATIONAL FASHION LINKERS & ORS.

Petitioner(s)

VERSUS

APS FOREX SERVICES PVT. LTD.

Respondent(s)

O R D E R

It is submitted that Respondent No.4 in Criminal Appeal Nos.271 and 272 of 2020 had passed away and as such the appeals against him had abated. His name was therefore deleted from the array of parties in terms of order dated 26.11.2018 passed by the Chamber Judge of this Court.

It is further submitted that original Respondent Nos.3 and 4 in said Criminal Appeals had never been summoned to face the trial. Reliance in support of this submission is placed on the observations made by the Trial Court in its judgment and order dated 20.01.2017.

In the circumstances we recall the order dated 17.11.2020 passed by this Court dismissing the Review Petitions.

The Review Petitions are restored to the file and in light of the averments made in the petitions, the Review Petitions are directed to be listed in open Court before the appropriate Bench.

The Curative Petitions are, accordingly, disposed of.

.....CJI.
(Uday Umesh Lalit)

.....J.
(Dr Dhananjaya Y Chandrachud)

.....J.
(Sanjay Kishan Kaul)

.....J.
(M.R. Shah)

New Delhi,
September 06, 2022

ITEM NO.1005

SECTION II-C

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

CURATIVE PET(R) No.18/2021 in R.P.(Cr1.) No.354/2020 in Cr1.A. No.271/2020

(Arising out of impugned final judgment and order dated 17-11-2020 in R.P.(Cr1.) No.354/2020, 14-02-2020 in Cr1.A. No.271/2020 passed by the Supreme Court Of India)

SHAKTI INTERNATIONAL FASHION LINKERS & ORS.**Petitioner(s)****VERSUS****APS FOREX SERVICES PVT. LTD.****Respondent(s)****(FOR ADMISSION; and, IA No.36371/2021 – FOR SUSPENSION OF SENTENCE)****WITH**

CURATIVE PET(R) No.19/2021 in R.P.(Cr1.) No.353/2020 in Cr1.A. No. 272/2020 (II-C)

(IA No.36350/2021 – FOR SUSPENSION OF SENTENCE)

Date : 06-09-2022 These matters were circulated today.

CORAM :**HON'BLE THE CHIEF JUSTICE****HON'BLE DR. JUSTICE D.Y. CHANDRACHUD****HON'BLE MR. JUSTICE SANJAY KISHAN KAUL****HON'BLE MR. JUSTICE M.R. SHAH****By Circulation**

UPON perusing papers the Court made the following
O R D E R

The Review Petitions are restored to the file and in light of the averments made in the petitions, the Review Petitions are directed to be listed in open Court before the appropriate Bench, in terms of the Signed Order placed on the file.

The Curative Petitions are, accordingly, disposed of.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER