

ITEM NO.89

Court 3 (Video Conferencing)

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). 4634/2014

(Arising out of impugned final judgment and order dated 30-04-2014 in CRLA No. 1132/2012 passed by the High Court Of Judicature At Bombay)

VIJAY MADANLAL CHOUDHARY & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

([ONLY T.C. (CRL) NO. 4/2018 AND D.No.22529/2018 ARE LISTED UNDER THIS ITEM.]

IA No. 59849/2021 - INTERVENTION APPLICATION)

WITH

T.C. (Cr1.) No. 4/2018 (XVI-A)

(FOR

FOR PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS ON IA 59717/2020

FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 59725/2020

FOR INTERVENTION APPLICATION ON IA 51388/2021

FOR WITHDRAWAL OF THE COST DEPOSITED ON IA 72722/2021

FOR CLARIFICATION/DIRECTION ON IA 127388/2021

IA No. 127388/2021 - CLARIFICATION/DIRECTION

IA No. 59725/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 51388/2021 - INTERVENTION APPLICATION

IA No. 59717/2020 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

Diary No(s). 22529/2018 (II)

IA No. 162424/2018 - CONDONATION OF DELAY IN FILING

IA No. 162428/2018 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

IA No. 162430/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 162432/2018 - EXEMPTION FROM FILING O.T.)

Date : 25-10-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s)

Mr. Kapil Sibal, Sr. Adv
 Dr. Abhishek Manusinghvi, Sr. Adv
 Mr. Arshdeep Singh Khurana, Adv
 Mr. Prateek Chadha, Adv
 Mr. Adit S. Pujari, Adv
 Mr. Akshat Gupta, Adv
 Ms. Madhavi Agrawal, Adv
 Mr. Shreedhar Kale, Adv
 Mrs. Shally Bhasin, AOR

Mr. Nikhil Jain, AOR

For Respondent(s)

Mr. Tushar Mehta, Ld SG
 Mr. S.V Raju, Ld ASG
 Mr. Aman Lekhi, Ld ASG
 Mr. Zoheb Hussain, Ld ASG
 Mr. Zoheb Hussain, Adv
 Mr. Kanu Agarwal, Adv
 Mr. G.S. Makker, AOR

Mr. Rajat Nair, Adv
 Mr. Arvind Kumar Sharma, AOR

Mr. B. Krishna Prasad, AOR

Mr. Kapil Sibal, Sr. Adv
 Mr. Syed Ahmed Saud, Adv
 Mr. Daanish Ahmad Syed, Adv
 Mr. Mohd. Parvez Dabas, Adv
 Mr. Uzmi Jameel Husain, Adv
 M/S. Shakil Ahmad Syed, AOR

Mr. Mukesh Kumar Maroria, AOR

Mr. A.P Singh, Adv
 Mr. Shreyansh Rathi, Adv
 M/S. M. V. Kini & Associates, AOR

Mr. Balaji Srinivasan, AOR
 Mr. O. P. Gaggar, AOR
 Mr. M. T. George, AOR

Mr. Rahul Chitnis, Adv
 Mr. Aaditya A. Pande, Adv
 Mr. Geo Joseph, Adv
 Mr. Sachin Patil, AOR

Ms. Rooh-e-hina Dua, AOR

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

I.A. No. 127388 of 2021 in T.C.(Cr1.) No. 4 of 2018

This application has been filed on 30.09.2021 after giving advance notice to the respondent(s). It has been adjourned on two occasions in the past. Today, when the applicant wants to go abroad in terms of the plan stated in the application, for the first time, it is stated across the Bar by Mr. Tushar Mehta, learned Solicitor General that the concerned official has sworn in an affidavit indicating that the applicant has not co-operated during the investigation of the cases and has not appropriately responded to the summons issued to him on 30.06.2021. That aspect can be dealt with in detail after the affidavit is actually filed and responded to by the applicant.

For the time being, we permit the applicant to go abroad as per his plan for the period between 25.10.2021 to 21.11.2021, as prayed.

The further prayer in the application can be considered after the applicant returns from his tour on or before 21.11.2021. The applicant shall abide by the usual terms specified on the earlier occasions and in terms of the order dated 22.02.2021, except the amount to

be deposited stands reduced to Rs.1 Crore, as prayed by the applicant.

This application be notified on 22.11.2021 for considering the remaining part of the prayer clause.

In the meantime, the respondent(s) shall file affidavit, referred to earlier to which the applicant may file response before the next date of hearing, including the grievance made by the respondent(s).

Needless to mention that this application will be proceeded on its own irrespective of the hearing of the main matters which will proceed alongwith connected matters as scheduled.

Diary No. 22529 of 2018

List this matter alongwith SLP(Crl.) No. 4634 of 2014 and connected matters.

The summons issued to the petitioner(s) needs to be stayed in the peculiar facts of the present case.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)