

**SECTION IIB**  
**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**PETITION FOR SPECIAL LEAVE TO APPEAL(CRL.) NO. 4356 AND 4182**  
**OF 2015**

**WITH**  
**CRIMINAL MISCELLANEOUS PETITION NOS. 8282, 8283, 8620, 9070 &**  
**12186 OF 2015**

(Application for permission to file Special Leave Petition without certified copy as well as plain copy of impugned order, Exemption from filing Certified Copy of Impugned Order, exemption from filing official translation and permission to file additional documents)

SUNILBHAI SUDHIRBHAI KOTHARI ETC.	...PETITIONERS
VERSUS	
STATE OF GUJARAT	...RESPONDENT

**OFFICE REPORT**

The matters above mentioned were listed before the Hon'ble Court on 14.05.2015 when the Hon'ble Court was pleased pass the following order:

"Issue notice.

Counter affidavit be filed by the respective respondents within six weeks hence.

As an interim measure, it is directed that the petitioner, sunilbhai Sudhirbhai Kothari, shall not be taken into custody in connection with FIR No.I-48/2014 dated 28.3.2014 lodged at Randar Police Station, Surat, Gujarat subject to the conditions that:

- (a) He shall not leave India.
- (b) He shall report to the Investigating Officer of DCB, Surat between 10 am to 12 am on every Monday.
- (c) He shall also cooperate with the investigation.
- (d) Apart from recording his presence on the date fixed, the concerned investigating officer shall also record his present and obtain his signature.
- (f) The appellant shall provide to the Investigating Officer, the proof that he has travelled to Surat and keep a copy thereof.
- (g) He shall furnish his permanent address and telephone number to the investigating officer within three days hence.

List the matter on 28.07.2015."

**SPECIAL LEAVE PETITION(CRL.) NO. 4356 OF 2015**

It is submitted that Counsel for the Petitioner has not filed one spare copy of Special Leave Petition required for issuance of show-cause notice. As a result of which

show-cause notice could not be issued to the sole respondent/State of Gujarat.

It is further submitted that Mr. Satish Vig, Counsel for the Petitioner has on 23.07.2015 filed additional affidavit after obtaining prior permission of the Hon'ble Court as per endorsement made by the concerned Court Master on the filing memo. Copy of the same has been included in the Special Leave Petition Paper Books for kind perusal of the Hon'ble Court.

It is further submitted that Ms. Hemantika Wahi, Standing Counsel for the State of Gujarat/Sole respondent has on 27.07.2015 file memo of appearance on behalf of State of Gujarat/sole respondent and the counsel has also filed counter affidavit on behalf of sole respondent/State of Gujarat after obtaining prior permission of the Hon'ble Court as per endorsement made by the concerned Court Master on the filing memo. Copy of the same has been included in the Special Leave Petition Paper Books for kind perusal of the Hon'ble Court.

**SPECIAL LEAVE PETITION(CRL.) NO. 4182 OF 2015**

It is submitted that Counsel for the Petitioner has not filed three spare copies of Special Leave Petition required for issuance of show-cause notice. As a result of which show-cause notice could not be issued to all the three respondents.

It is further submitted that Mr. Satish Vig, Advocate has filed vakalatnama/appearance on behalf of Respondent no. 2.

It is further submitted that Mr. Devendra Singh, Advocate for the petitioner has on 27.07.2015 filed application for permission to file additional documents along with additional documents Special Leave Petition(Crl.) No. 4182 of 2015 and the same has been registered as Criminal Miscellaneous Petition No. 12186 of 2015. Copy of the same has been included in the Special Leave Petition Paper Books for kind perusal of the Hon'ble Court.

The matters above mentioned were again listed before the Hon'ble Court on 28.07.2015 when the Hon'ble Court was pleased pass the following order:

**"Let this matter be listed on 18.08.2015. It is hereby made clear that no adjournment shall be granted on that day.**

**Additional affidavit, if any, be filed by 10.08.2015."**

It is submitted that in pursuant to the Court's Order quoted above, Counsel for the Parties have not filed additional affidavit, so far.

It is further submitted that Mr. Satish Vig, Counsel for the Petitioner has on 17.08.2015 filed Rejoinder Affidavit in Special Leave Petition(Crl.) No. 4356 of 2015 after obtaining prior permission of the Hon'ble Court as per endorsement made by the concerned Court Master on the filing memo. Copy of same is being circulated herewith for kind perusal of the Hon'ble Court.

The matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 17<sup>th</sup> day of August, 2015.

**ASSISTANT REGISTRAR**

**COPY TO:**

**Mr. Satish Vig, Advocate**

**Mr. Devendra Singh, Advocate**

**Ms. Hemantika Wahi, Advocate**

**ASSISTANT REGISTRAR**

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