

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 (Crl.) No(s). 6338/2021

(Arising out of impugned final judgment and order dated 30-04-2021 in CRMM No. 24870/2020 passed by the High Court Of Punjab & Haryana At Chandigarh)

VIJAY SHUKLA

Petitioner(s)

VERSUS

SERIOUS FRAUD INVESTIGATION OFFICE
(IA No. 104987/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Respondent(s)

Date : 26-10-2021 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Gautam Awasthi, AOR
Mr. Ayush Choudhary, Adv.
Mr. Nizam Pasha, Adv.
Mr. Devanshu Yadav, Adv.
Mr. Sameer Pandey, Adv.

For Respondent(s) Mr. S.V. Raju, ASG
Ms. Sonia Mathur, Adv.
Ms. Sairica Raju, Adv.
Mr. Rahul Mishra, Adv.
Vanshaja Shukla, Adv.
Mr. Arvind Kumar Sharma, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

The validity of Section 212(6) of the Companies Act, 2013 is already in issue in the connected cases. This matter be heard along with other connected cases.

As regards the present case, we find that the High Court has

categorically noted in paragraph 49 of the impugned judgment that the petitioner is not accused of having committed the offence of fraud punishable under Section 447 of the Companies Act, 2013. He is only a signatory to financial documents pertaining to the company.

The nuances of the arguments of the prosecution can be considered at an appropriate stage. Further, it is not in dispute that the co-accused have been granted interim protection who are charged with the offence u/s 447 of the Companies Act, 2013.

Taking any view of the matter, we deem it appropriate to grant interim protection to the present petitioner until disposal of the main matter.

The petitioner shall, however, co-operate during the further investigation, if any, as and when called upon to do so and shall surrender his passport within one week from today which will remain with the Registry until the disposal of the main matter.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(VIDYA NEGI)
COURT MASTER