

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). 10903/2022

(Arising out of impugned final judgment and order dated 02-09-2022 in CRR No. 1811/2019 passed by the High Court At Calcutta)

BARUN GHOSH & ORS.

Petitioner(s)

VERSUS

C.B.I. & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.174299/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.174298/2022-EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 10899/2022 (II-B)

(FOR ADMISSION and I.R. and IA No.174044/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.174040/2022-EXEMPTION FROM FILING O.T.)

Date : 25-11-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Siddharth Luthra, Sr. Adv.
Mr. Sabyasachi Banerje, Adv.
Ms. Anusuya Sadhu Sinha, Adv.
Ms. Pallavi Pratap, AOR

For Respondent(s)

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

SLP(Crl) No. 10899/2022

Applications seeking exemption from filing C/C of the impugned judgment and exemption from filing O.T. are allowed.

Learned counsel for the petitioner(s) contends that insofar as

the two petitioners are concerned (there are seven accused) they were part of the reinforcement. He submits that petitioner No.1 role shows that he was actually assisting the deceased in custody and petitioner No.2 was not even assigned that role. He submits that all the accused are painted with the same brush without examination of the material.

Issue notice.

Prayer for interim relief

We are not inclined to grant stay at this stage but learned counsel for the petitioner submits that predicated on the impugned order assailed in SLP (Crl.) No.10903/2022 an application for cancellation of bail has been filed. The said application be kept in abeyance.

SLP(Crl) No.10903/2022

We have heard learned senior counsel for the petitioner at some length. We are not inclined to interfere with the proceedings at this stage.

The special leave petition is dismissed.

However, insofar as petitioner Nos.5 & 6 are concerned, this is without prejudice to the pleas raised by them in SLP(Crl) No. 10899/2022.

Pending applications stand disposed of.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER