

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

Petition(s) for Special Leave to Appeal (Crl) No(s).9114/2012

(From the judgement and order dated 18/09/2012 in CRLA No.502/2012, of The HIGH COURT OF BOMBAY)

LUIS CARLOS AGUILAR

Petitioner(s)

VERSUS

SUDHAKAR S. MEHTA &amp; ANR.

Respondent(s)

(With appln(s) for bail,stay and office report)

(For Final Disposal)

WITH SLP(Crl) NO. 9374 of 2012

(With appln.(s) for stay of arrest and bail and exemption from filing affidavit and office report)

(For Final Disposal)

Date: 30/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE SHARAD ARVIND BOBDE

For Petitioner(s) Mr. S. Naphade,Sr.Adv.

Mr. Anil G. Lalla,Adv.

Mr. Satbir P.,Adv.

Mr. S. Dewan,Adv.

Mr. Pramit Saxena,Adv.

Mr. Nitin Sangra,Adv.

Mr. Ravindra Keshavrao Adsure,Adv.

Mr. Pramod K. Singh,Adv.

For Respondent(s) Mr. Shankar Chillarge,AAG

Ms. Asha Gopalan Nair,Adv.

Mr. V. Shekhar,Sr.Adv.

Ms. Ranjana Narayan,Adv.

Ms. Sushma Manchanda,Adv.

Mr. B.K. Prasad,Adv.

Mr. Vishal Saxena,Adv.

Ms. Shaveta Chaudhary,Adv.

Mr. Piyush Jain,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard.

Learned counsel for the parties point out that this Court has in Crl.A.No.644 of 2007 (Arising out of SLP(Crl.)No.4976 of 2006) - Union of India v. Pradeep Shivram Dhond & Anr. referred issues, identical to the ones arising in these special leave petitions, to a three-judge Bench of this Court. They submit that these matters could also be tagged with that case and heard by a three-Judge Bench.

We accordingly refer these petitions also to a Three-Judge Bench of this Court, to be heard along with Crl.A.No.644 of 2007 (Arising out of SLP(Crl.)No.4976 of 2006).

In the meantime, we direct release of the petitioners, (1) Madhathil Jacob and (2) Luis Carlos Aguilar, from custody, subject to their furnishing respective bail bonds in a sum of Rs.3 Lakh (Rupees three lakh) with two sureties by each of like amount to the satisfaction of the trial court. The petitioners shall abide by the further conditions:

- (1) The Petitioners, (1) Madhathil Jacob and (2) Luis Carlos Aguilar, shall deposit with the trial court, if not already deposited, their passports and file individual affidavits before the trial court to the effect that they are not holding any other passport except the one deposited.
- (2) Both the Petitioners shall report to the office of the N.C.B. at Ballard Pier, Mumbai, every Monday between 11 am to 12 noon, till the disposal of the special leave petitions
- (3) The petitioners shall furnish to the N.C.B. At Ballard Pier, Mumbai, their latest addresses and the changes, if any, from time to time as also their contact numbers.

Needless to say that this order shall remain, subject to the ultimate outcome of the special leave petitions in terms of the order that may be passed by the larger Bench.

| (Mahabir Singh)  
| Court Master

| (Veena Khera)  
| Court Master