

ITEM NO.113

COURT NO.13

SECTION II

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

Criminal Appeal No(s). 546/2004

MOHD.JALEES ANSARI & ORS.

Appellant(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

Respondent(s)

(With appln.(s) for exemption from filing O.T. and interim bail and interim bail and bail and bail and bail and bail and appln. for interim bail on behalf of Appellant No.12 and office report)

Date : 24/02/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s)

Mr. Mohd. Irshad Hanif,Adv.

Mr. Aarif Ali, Adv.

Mr. N.A. Usmani, Adv.

Mr. Satpal Singh,Adv.

Mr. Shadan Farasat,Adv.

Mr. Shakil Ahmed Syed,Adv.

Mr. Syed Shahid Hussain Rizvi,Adv.

For Respondent(s)

Mr. Tushar Mehta, ASG (N.P.)

Mr. V. Shekhar, Sr. Adv. (N.P.)

Mr. P.K. Dey, Adv.(N.P.)

Mr. M. Khairati, Adv.

Mr. B. V. Balaram Das,Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel appearing for the parties.

As it appears that on 9-12-2014 the Order was passed by this Court since the appeal which was filed before this Court under TADA Act by the appellants who have been convicted under various provisions of the TADA Act. The Court directed the Government to consider the cases of the appellants for release in view of the fact that the appellants had almost spent 15 to 17 ½ years incarceration. In view of that, the Court directed the Government

to express their view in the matter and to exercise of consideration with reference to each of the appellants. However, we have not received any information from the Government today even after lapse of more than two months period since the order was passed by this Court.

It is submitted on behalf of the appellants that most of the appellants have completed more than 20 years in custody. In view of that, the commutation of sentence under Section 432 of the Code of Criminal Procedure, 1973 should be considered by the Government of India within a period of three weeks from today and a positive result to that effect must be placed on record before this Court.

Let this Criminal Appeal along with applications for bail to appear on Board after three weeks.

(VISHAL ANAND)  
COURT MASTER

(SNEH LATA SHARMA)  
COURT MASTER