

ITEM NO.5,5.1-5.6

COURT NO.2

SECTION PIL-W

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

SUO MOTO WRIT PETITION (CRIMINAL) NO. 4/2021

IN RE POLICY STRATEGY FOR GRANT OF BAIL

Petitioner(s)

VERSUS

Respondent(s)

(MR. GAURAV AGRAWAL, ADV. IS AMICUS CURIAE.....[TO BE TAKEN UP  
ALONG WITH ITEM NO. 4 I.E. S.L.P.(CRL.)NO.529/2021]... )

WITH

SLP(Crl) No. 4041/2018 (II-A)

SLP(Crl) No. 6482/2017 (II-A)

SLP(Crl) No. 2805/2017 (II)

(Mr. M.N.Rao, Senior Advocate (Amicus Curiae), Mr. Samir Ali Khan,  
advocate has filed memo of appearance on behalf of the State of  
Bihar)

SLP(C) No. 16037/2013 (XIV)

MA 1640/2018 in Crl.A. No. 470/2018 (II-A)  
(FOR ADMISSION)

W.P.(Crl.) No. 32/2013 (PIL-W)

Date : 16-11-2022 These petitions were called on for hearing today.

CORAM :

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

By Courts Motion

For Petitioner(s)

Mr. B. Krishna Prasad, AOR

Petitioner-in-person (NP)

Dr. Ajay Kumar, Adv.  
Mr. Kaushal Yadav, AOR  
Mr. Nandlal Kumar Mishra, Adv.

Mr. Shafik Ahmed, Adv.  
Ms. Pratima Singh, Adv.

Mr. Navin Prakash, AOR

Mr. N.K. Mody, Sr. Adv.  
Mr. Prabuddha Singh, Adv.  
Ms. Ishita M. Puranik, Adv.  
Mr. Sukhamrit Singh, Adv.  
Mr. Praveen Swarup, AOR

Mr. Surya Kant, AOR

**For Respondent(s)**

M/S. Corporate Law Group, AOR

Mr. Ardhendumauli Kumar Prasad, AOR

Md. Shahid Anwar, AOR

Ms. Swati Ghildiyal, Adv.  
Ms. Deepanwita Priyanka, AOR

Mr. Balaji Srinivasan, AOR

Mrs. Swarupama Chaturvedi, AOR

Ms. Preetika Dwivedi, AOR

Mr. Padam Pirya, Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. Akhileshwar Jha, Adv.  
Ms. Yamini Sharma, Adv.  
Ms. Niharika Dwivedi, Adv.  
Mr. S. Padma Rao, Adv.  
Mr. Sandhya S. Reddy, Adv.  
Mr. D. Mahesh Babu, AOR

Mr. Anil Shrivastav, AOR

Mrs. Anil Katiyar, AOR

Mr. Abhinav Mukerji, AOR  
Mr. Akshay C Shrivastava, Adv.

Mr. Nishanth Patil, AOR  
M/S. K J John And Co, AOR

Mr. Anil Kumar, Adv.  
Mr. Umang Tripathi, Adv.  
Mr. Kamal Mohan Gupta, AOR

Mr. Ashok Mathur, AOR

Mr. Nishe Rajen Shonker, AOR

Mr. Mahfooz A Nazki, AOR  
Mr. Polanki Gowtham, Adv.  
Mr. Shaik Mohamad Haneef, Adv.  
Mr. T. Vijaya Bhaskar Reddy, Adv.  
Mr. K.V. Girish Chowdary, Adv.  
Ms. Rajeshwari Mukherjee, Adv.  
Ms. Niti Richhariya, Adv.

Mr. Ashok Kumar Singh, AOR  
Mr. Shantwanu Singh, Adv.  
Ms. Pragya Singh, Adv.  
Mr. Akshay Singh, Adv.

Mr. P.V.Yogeswaran, AOR

Ms. Sharmila Upadhyay, AOR  
Mr. Sarvjit Pratap Singh, Adv.

Mr. Raghvendra Kumar, Adv.  
Mr. Anand Kr. Dubey, Adv.  
Mr. Narendra Kumar, AOR

Mr. Akshay Amritanshu, AOR  
Mr. samyak Jain, Adv.  
Mr. Divyansh Singh, Adv.

Mr. Siddhesh Kotwal, Adv.  
Ms. Ana Upadhyay, Adv.  
Ms. Manya Hasija, Adv.  
Mr. Akash Singh, Adv.  
Mr. Nihar Dharmadhikari, Adv.  
Ms. Sampriti Baksi, Adv.  
Mr. Nirnimesh Dube, Adv.

Mr. Gopal Singh, AOR  
Mr. Harish Pandey, AOR  
Mr. Sarvesh Singh Baghel, AOR  
Mr. Kedar Nath Tripathy, AOR  
Mr. Vinod Sharma, AOR

Mr. Jayant K Sud, Ld. ASG  
Mr. Piyush Beriwal, Adv.  
Mr. Randeep Sachdeva, Adv.  
Mr. Kartik Jasra, Adv.  
Mr. Gurmeet Singh Makker, AOR  
Mr. Abhimanyu Tewari, AOR  
Ms. Eliza bar, Adv.

M/S. Parekh & Co., AOR

Mr. Nikhil Goel, AOR

Ms. Vanshaja Shukla, AOR

Mr. Sajal Singhai, Adv.

Mr. Prashant Shrikant Kenjale, AOR

Mr. Samir Ali Khan, AOR

Mr. Pranjal Sharma, Adv.

Mr. Ajay Bansal, Adv.

Ms. Veena Bansal, adv.

Mr. Saurav Yadav, Adv.

Mr. Saurav Jindal, Adv.

Mr. Sanjay Kumar Visen, AOR

Mr. Guntur Prabhakar, AOR

Mr. Shekhar Raj Sharma, Dy. A.G.

Mr. Paras Dutta, Adv.

Dr. Monika Gusain, AOR

Mr. Kanhaiya Singhal, AOR

Ms. Priyal Garg, Adv.

Mr. Chetan Bhardwaj, Adv.

Mr. Prasanna, Adv.

Mr. Udit Bakshi, Adv.

Mr. Ajay Kumar, Adv.

Mr. Jatinder Kumar Bhatia, AOR

Mr. Ankit Goel, AOR

Mr. Sanjai Kumar Pathak, AOR

Mr. Arvind Kumar Tripathi, Adv.

Ms. Shashi Pathak, Adv.

Mr. Mukesh K. Giri, AOR

Mr. Amit Pawan, AOR

Mr. Debojit Borkakati, AOR

Mr. Harshad V Hameed, AOR

Mr. Dileep Poolakkot, Adv.

Mrs. Ashly Harshad, Adv.

Mr. V.N. Raghupathy, AOR

Mr. Premnath Mishra, Adv.

Mr. Varun Varma, Adv.

Mr. Dhanesh, Adv.

Mr. Hari Prasad, Sr. Adv.

Mr. V.K. Biju, AOR  
Ms. Swathi H Prasad, Adv.  
Ms. Ria Sachthey, Adv.  
Mr. Chetanya Singh, Adv.  
Mr. Amlendu Kumar Akhilesh Kr. Jha, Adv.  
Dr. Ranjit B., Adv.  
Ms. Rubina J., Adv.

Mr. Partha Sil, AOR  
Mr. Tavish B. Prasad, Adv.  
Ms. Sayani Ajay Bhattacharya, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Karun Sharma, Adv.  
Ms. Anupam Ngangom, Adv.  
Mr. Wahengbam Immanuel, Adv.

Mr. Shovan Mishra, AOR  
Ms. Bipasa Tripathy, Adv.

Mr. Sunil Kumar Jain, AOR  
Ms. Rashika Swarup, Adv.

Mr. Arjun Garg, AOR  
Mr. Aakash Nandolia, Adv.

Mr. Basava Prabhu S. Patil, Sr. Adv.  
Mr. Raghavendra S. Srivatsa, AOR  
Mr. Venkita Subramoniam T.R., Adv.  
Mr. Likhi Chand Bonsle, Adv.  
Ms. Komal Mundhra, Adv.

Ms. Uttara Babbar, AOR  
Ms. Shipra Jain, Adv.

Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
Mr. Ankit Sharma, Adv.  
for M/S. Arputham Aruna And Co, AOR

Mr. Sunny Choudhary, AOR  
Mr. Abhimanyu Singh, Adv.

Ms. K. Enatoli Sema, AOR  
Ms. Limayinla Jamir, Adv.  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. Prang Newmai, Adv.

Mr. V. Balachandran, Adv.  
Mr. Siddharth Naidu, Adv.  
For M/S. KSN & Co., AOR

Mr. Tapesh Kumar Singh, AAG/AOR  
Mr. Aditya Pratap Singh, Adv.

Ms. Swati Ghildiyal, AOR  
Ms. Devyani Bhatt, Adv.  
Ms. Shravya Pathak, Adv.  
Ms. Hemantika Wahi, AOR

Mr. Ajay Pal, AOR  
Mr. Mayank Dahiya, Adv.  
Ms. Priyanka C., Adv.

M/S. Plr Chambers And Co., AOR

Mr. Manish Kumar, AOR

Mr. Divyakant Lahoti, AOR

Mr. Shibashish Misra, AOR

Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bagla, adv.  
Ms. Kirti Dadheech, Adv.

Mr. Shree Pal Singh, AOR

Mr. Sahil Tagotra, AOR  
Mr. Abhishek Pandey, Adv.  
Ms. Abhivyakti Banerjee, Adv.  
Ms. Sakshi Garg, Adv.

Mr. P.I. Jose, AOR

Mr. Chirag M. Shroff, AOR  
Mr. Shailendra P Singh, Adv.

Mr. Avijit Mani Tripathi, AOR  
Mr. Upendra Mishra, Adv.  
Mr. T.K. Nayak, Adv.

Mr. T.K. Nayak, Adv.  
Mr. Kynphan K., Adv.  
Mr. Daniel Slynydoh, Adv.

Mr. K.M. Nataraj, Ld. ASG  
Ms. Aishwarya Bhati, Ld. ASG  
Mr. Rajesh Ranjan, Adv.  
Mr. Sachin Sharma, Adv.  
Ms. Swati Ghildiyal, Adv.  
Mr. Mranvendra Singh, Adv.  
Mr. Abhijeet Singh, Adv.

Mr. Mayank Pandey, Adv.  
Mr. Ketan Paul, Adv.  
Mr. Mayank Pandey, Adv.  
Mr. Shantnu Sharma, Adv.  
Mr. Pratyush Shrivastava, Adv.  
Mr. Arvind Kumar Sharma, AOR

Ms. Astha Sharma, AOR  
Mr. Ravinder Singh, Adv.  
Ms. Manika Haryani, adv.  
Mr. Shreyas Awasthi, Adv.  
Mr. Devvrat Ajay Singh, Adv.

Mr. Sumeer Sodhi, AOR  
Mr. Gaurav Arora, Adv.

Mr. Sharan Thakur, Adv.  
Mr. Mahesh Thakur, AOR  
Mr. Siddharth Thakur, Adv.  
Mr. Bishwendra Singh, Adv.  
Mr. Mustafa Sajad, Adv.  
Ms. Shivani, Adv.  
Mr. Ajay Kanojiya, Adv.

Mr. M. Shoeb Alam, AOR

Mr. Sameer Abhyankar, AOR  
Ms. Yeshi Rinchen, Adv.  
Mr. Abhinav Mishra, Adv.  
Ms. Nishi Sangtani, Adv.  
Ms. Vani Vandana Chhetri, Adv.

Mr. Aravindh S., AOR  
Uma Bhuvaneshwari, Adv.  
Mr. Abbas B., Adv.

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

SUO MOTO WRIT PETITION (CRIMINAL) NO. 4/2021

In terms of order dated 15.09.2022 this  
matter has to be listed in the last week of January,  
2023.

List accordingly.

SLP(CRL) NO. 4041/2018 (ITEM NO. 5.1)

It is stated that the jail sentence has been suspended and thus this petition has become infructuous.

The special leave petition is accordingly disposed of as infructuous.

SLP(CRL) NO. 6482/2017 (ITEM NO. 5.2)

It is stated that the appeal has been disposed of on merits and general directions are, in any case, being passed in Suo Moto Writ Petition (Criminal) No. 4/2021. Thus no further directions are required to be passed in this matter.

The special leave petition stands disposed of.

SLP(CRL) NO. 2805/2017 (ITEM NO. 5.3)

It is stated that no further directions are required to be passed in view of the larger canvas in Suo Moto Writ Petition (Criminal) No. 4/2021.

The special leave petition accordingly stands disposed of.

SLP(C) NO. 16037/2013 & W.P.(CRL.) NO. 32/2013  
(ITEM NOS. 5.4 & 5.6)

Some interim directions were passed on 25.04.2012 by the Division Bench of the High Court on aspects of assistance through the Delhi Legal Services Authority for filing bail applications for under trials.

In our view, the matter does not really survive

for consideration as the reliefs prayed for are subsumed in the general directions across the country which we have been passing in Suo Moto Writ Petition (Criminal) No. 4/2021.

The special leave petition and writ petition accordingly stand disposed of.

MA 1640/2018 IN CRL.A. NO. 470/2018 ITEM NO. 5.5)

The matter actually stands disposed of by this Court where some directions are issued but now there is no need to keep this matter for further directions in view of the directions being passed in Suo Moto Writ Petition (Criminal) No. 4/2021.

Further listing is not required.

M.A. stands disposed of.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)