

ITEM NO.21

COURT NO.3

SECTION II

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 (CrI.) No.4373/2022

(Arising out of impugned final judgment and order dated 29-03-2022 in CRMA No.47838/2021 passed by the High Court of Judicature at Allahabad)

MAMTA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With IA No.64264/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.64263/2022 - EXEMPTION FROM FILING O.T.)

Date : 01-08-2022 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Ms. Purnima Jauhari, AOR
Dr. Brij Bhushan K. Jauhari, Adv.
Mr. O.P. Singh, Adv.
Mr. Harsh Mahan, Adv.
Mr. Parvinder Nagar, Adv.
Mr. Atul Mahan, Adv.

For Respondent(s) Mr. Rajul Bhargava, Sr. Adv.
Mr. Pradeep Kumar Yadav, Adv.
Mr. Vishal Thakre, Adv.
Mr. Shrisat Sanjay Bhaskar, Adv.
Ms. Srimanta Ray, Adv.
Ms. Parichita Ray, Adv.
Mr. Sanjeev Malhotra, AOR

**Mr. Rajul Bhargava, Sr. Adv.
Mr. Vishal Thakre, Adv.
Mr. Pradeep Kumar Yadav, Adv.
Ms. Srimanta Ray, Adv.
Ms. Khushboo Vinodray Malkan, AOR**

**Mr. Vinod Diwakar, Adv.
Mr. Sarvesh Singh Baghel, AOR
Mr. Purnendu Bajpai, Adv.**

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

- 1 On 2 May 2022, this Court while issuing notice directed the Senior Superintendent of Police, Ghaziabad to provide security to the petitioner after assessing the threat perception. Standing Counsel appearing on behalf of the State of Uttar Pradesh has stated that in pursuance of the above order, the petitioner has been provided with security after due assessment of the threat perception.
- 2 At this stage, we are not inclined to interfere with the order of the High Court dated 29 March 2022 enlarging the respondents-accused on bail. However, counsel appearing on behalf of the petitioner submits that (i) subsequent to the order of this Court dated 2 May 2022, the petitioner has been threatened; and (ii) the case has been fixed for the purpose of recording evidence on 4 August 2022 following the framing of charges on 4 June 2022 and hence it is apprehended that there may be a threat to the safety of the petitioner.
- 3 Having regard to the above submission of the petitioner, we permit the petitioner to move the High Court for cancellation of bail on the basis of supervening circumstances. However, it is clarified that this Court has not expressed any opinion on the merits of the application which the petitioner proposes to move before the High Court.

- 4 The provision of security to the petitioner pursuant to the order of this Court dated 2 May 2022 shall continue to remain in operation till the conclusion of the trial.
- 5 The Special Leave Petition shall stand disposed of in the above terms.
- 6 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(RANJANA SHAILEY)
Court Master