

ITEM NO.3

Virtual Court 5

SECTION II-B

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 (Cr1.) No(s). 1033/2020
(Arising out of impugned final judgment and order dated 24-01-2020 in CRM No. 825/2020 passed by the High Court At Calcutta)

BHUPENDRA PRATAP SINGH @ REYANSH PRATAP SINGH & ORS.Petitioner(s)
VERSUS

THE STATE OF WEST BENGAL **Respondent(s)**
(ONLY CRLMP NO. 59025/2020 IN WP (CRL.) NO. 127/2020 TO BE LISTED)

WITH W.P.(Cr1.) No. 127/2020 (X)
(IA No.59025/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 59028/2020 - EXEMPTION FROM FILING AFFIDAVIT)

Date : 16-07-2020 This petition(s) was called on for hearing today.
CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. K.V. Vishwanathan, Sr. Adv.
Ms. Aparajita Singh, Sr. Adv.
Mr. Ankur Chawla, Adv.
Mr. Rahul Pratap, Adv.
Mr. Karan Gogna, Adv.
M/S. Coac, AOR

For Respondent(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
(R-1) Mr. R. Basant, Sr. Adv.
Mr. Suhaan Mukerji, Adv.
Ms. Liz Mathew, Adv.
Mr. Sanjay Basu, Adv.
Mr. Abishek Manchanda, Adv.
Ms. Chitralekha Das, Adv.
Mr. Manu Krishnan, Adv.
For M/S. PLR Chambers And Co., AOR

Mr. Tushar Mehta, SG
Mr. Digvijay Dam, Adv.

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

The Court is convened through video conferencing.

I.A. NO.59025 of 2020 :

This application has been filed seeking direction to call for the records pertaining to the Orders dated 26.02.2020 and

18.03.2020 passed by the Court of the learned Additional Chief Metropolitan Magistrate, 2nd Court, Calcutta, and order dated 18.03.2020 passed by the Court of the learned Metropolitan Magistrate, 4th Court, Calcutta and order dated 01.06.2020 passed by the Court of the learned Chief Metropolitan Magistrate, Calcutta, in connection with Muchipara Police Station Case No.32/2020 dated 10.02.2020 under Sections 419/420/468/471/474/500/120-B of IPC and praying for stay of the operation of the above orders.

We have heard Mr. K.V. Vishwanathan, learned senior counsel appearing for the applicant-petitioner, along with Ms. Aparajita Singh, learned senior counsel. We have heard Dr. Abhishek Manu Singhvi, learned senior counsel appearing for the respondent-State, along with Mr. R. Basant, learned senior counsel. We have also heard Mr. Tushar Mehta, learned Solicitor General, representing CBI.

Since the orders challenged in this application is passed by learned Additional Chief Metropolitan Magistrate, 2nd Court, Calcutta, the Court of the learned Metropolitan Magistrate, 4th Court, Calcutta and the learned Chief Metropolitan Magistrate, Calcutta, we are not inclined to entertain the application (IA NO.59025 of 2020) for direction.

Accordingly, application (IA NO.59025 of 2020) for direction is disposed of giving liberty to the petitioner to file the revision before the High Court or work out the remedy before the High Court or other court in accordance with law.

Since the High Court has observed that the petitioner may approach the Supreme Court of India, we request the High Court to

hear the revision or the review petition on its own merits and pass order in accordance with law.

S.L.P.(Cr1.)No.1033 of 2020 and W.P.(Cr1.)No.127 of 2020:

List both the matters on 05.08.2020.

Learned counsel appearing for the petitioner is permitted to file the rejoinder affidavit, well in advance.

(MAHABIR SINGH)
AR-cum-PS

(BEENA JOLLY)
BRANCH OFFICER