

ITEM NO.8

COURT NO.3

SECTION II-A

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

Miscellaneous Application No. 644/2024 in SLP(Crl) No. 14541/2023

(Arising out of impugned final judgment and order dated 08-11-2023 in SLP(Crl) No. No. 14541/2023 passed by the Supreme Court Of India)

ASIF KHAN

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 59552/2024 - CANCELLATION OF BAIL AND IA No. 59554/2024 - EXEMPTION FROM FILING O.T.)

Date : 27-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Ms. Anitha Shenoy, Sr. Adv.
Mr. Vijay Kumar, Adv.
Mr. Syed Ahmed Saud, Adv.
Ms. Ayushma Awasthi, Adv.
Mr. Mohd. Parvez Dabas, Adv.
Mr. Daanish Ahmed Syed, Adv.
Mr. Uzmi Jameel Husain, Adv.
Mr. Aqib Baig, Adv.
Mr. Mohd. Shahib, Adv.
M/S. Shakil Ahmad Syed, AOR

For Respondent(s)

Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Yatin M. Jagtap, Adv.
Mr. Sunil Kumar Sharma, AOR

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

1. The present application is filed for cancellation of bail which was granted by this Court vide order dated 8th November, 2023.
2. Ms. Anitha Shenoy, learned senior counsel appearing for the applicant/respondent No.2 submits that the petitioner has violated three conditions and as such, he is not entitled to continuation of the liberty which has been granted by this Court.
3. Though, we are of the view that the conduct of the petitioner in going to the Court with a huge procession, is not acceptable. However, since this is the first incident which has brought to our notice, we are not inclined to entertain the present application.
4. The petitioner has filed an affidavit in the following terms:

"4. In view of the aforesaid direction dated 13.08.2024, the respondent No.2 tender apology and assures this Hon'ble Court that in, future there will be no violation of any condition put by the learned Trial Court as well this Hon'ble court. Further he also undertakes that he will not involve in any activities which have been reproduced in the order dated 05.01.2024 passed by the learned Trial Judge in Session Case No. 194 of 2018.
5. The same is taken on record and treated as an undertaking to this Court.
6. We clarify that in the event the petitioner indulges into similar activities as are found in the order passed by the learned trial Judge or violates any of the conditions, the learned trial Judge himself would be entitled to consider an application for

cancellation of bail.

7. The miscellaneous application is, accordingly, disposed of.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)