

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 (Crl) No(s).1768/2012

(From the judgement and order dated 06/02/2012 in CRLMC No.3245/2009, of
The HIGH COURT OF DELHI AT N. DELHI)

SRI NIWAS SHARMA Petitioner(s)

VERSUS

STATE OF NCT OF DELHI Respondent(s)

(With appln(s) for ex-parte stay,exemption from filing c/c of the impugned
Judgment,permission to file additional documents)

WITH SLP(Crl) NO. 3596 of 2012

(With appln. for permission to file lengthy list of dates and office
report)

Date: 19/10/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SWATANTER KUMAR
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. M.C.Dhingra,Adv.
Mr. Piyush Kant Roy,Adv.
Mr. Gaurav Dhingra,Adv.

Mr. Nitesh K.Rana,Adv.
Mr. B.K. Pal,Adv.

For Respondent(s) Mr. P.P.Malhotra,ASG.
Mr. S.Sadasiva Reddy,Adv.
Mr. C.Chawla,Adv.
Mr. D.S.Mahra,Adv.

Mr. Nitesh K.Rana,Adv.
Mr. B.K. Pal,Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel appearing for
the parties inter alia, but principally on the question as if the
petitioners before this Court who owes more

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than eight crores to different investors can be permitted to
remain on bail, if so, what should be the conditions which have
to be imposed for granting him such liberty?

Having heard the learned counsel appearing for the
parties we pass the following directions:

a) The petitioner is hereby restrained from
selling any part or all of the land which have been
purchased by him in Ghaziabad or at any other place, in
addition thereto.

b) The petitioner would be at liberty to negotiate for the sale of the land and file an application giving the proposed terms specifically in the application for seeking permission of the Trial Court for sale of a particular piece of land.

c) The petitioner will not take/ accept, directly or indirectly any earnest money or token money, and would not be entitled to receive any sale proceeds as well. The sale proceeds shall be deposited by the purchaser directly in the Court and the same shall be registered directly in terms of the order of the Court and as per law.

d) The petitioner shall take appropriate steps expeditiously and if he takes no steps whatsoever, the complainants would be entitled to move for cancellation of his bail before the Trial Court.

e) The petitioner would not leave the country without specific permission of the Court. If he holds a passport, the same shall be surrendered before the Trial Court.

f) The complainants would be entitled to raise objections but only with regard to the valuation of the property, and if they are prepared to pay higher value, the same would be effected in their favour or their nominee or purchaser brought by them, as the case may be. The Court shall decide such objection expeditiously and in accordance with law. Transfer of property shall be strictly under the orders of the Trial Court.

List this matter after three months.

[SUMAN WADHWA]
COURT MASTER

[S.S.R. KRISHNA]
COURT MASTER