

ITEM NO.4

COURT NO.7

SECTION IIB

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

Petition(s) for Special Leave to Appeal (Crl) No(s).4786/2011

(From the judgement and order dated 17/02/2011 in CRLP No.7236/2010  
of The HIGH COURT OF KARNATAKA CIRCUIT BENCH AT DHARWAD)

M/S SHAMANUR SUGAR CO.LTD.&amp; ORS.

Petitioner(s)

VERSUS

M/S INDIA SUGARS &amp; REFINERIES LTD.

Respondent(s)

(With appln(s) for stay and office report)

(FOR FINAL DISPOSAL)

WITH

S.L.P. (CRL.) NO. 3895 OF 2011

(with appln. for stay)

(FOR FINAL DISPOSAL)

Date: 12/04/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.  
Mr. Rajesh Mahale, Adv.  
Mr. Prabhuling Navadgi, Adv.  
Mr. K. Joshi, Adv.

For Respondent(s) Ms. Yovini Rajesh Rohra, Adv.  
Mr. Rajesh Chander Kumar, Adv.  
Mr. Balaji Srinivasan, Adv.  
Ms. Jaikriti S. Jadeja, Adv.  
Mr. K. Viay Kumar, Adv.

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

S.L.P. (Crl.) No. 3895 of 2011:

We have heard Mr. Shyam Divan, learned senior counsel

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for the petitioners and Ms. Yovini Rajesh Rohra, learned  
counsel for the respondent.

It transpires from the order dated May 13, 2011 that  
on behalf of the respondent, a statement was made that  
accused Nos. 3 to 7 in PCR No. 32 of 2009 shall be dropped  
by an appropriate application before the trial court.

We are informed that subsequently, petitioner Nos. 2,4

and 5 have already been dropped from the array of accused persons.

Mr. Shyam Divan, learned senior counsel submits that the contentions concerning the petitioner Nos. 1 and 3 shall be appropriately made before the trial court in discharge application or in trial if such an occasion arises.

In view of the above, nothing remains to be decided in this Special Leave Petition and it is disposed of accordingly.

Having regard to the controversy, we expect the trial court to conclude the trial expeditiously and preferably within one year from the date of the production of the order of this Court.

S.L.P. (Crl.) No. 4786 of 2011:

We have heard Mr. Shyam Divan, learned senior counsel for the petitioners and Ms. Yovini Rajesh Rohra, learned counsel for the respondent.

It transpires from the order dated July 6, 2011 passed by this Court that the petitioner Nos. 2 and 3 (accused Nos. 3 and 4 respectively) have been granted exemption from personal appearance before the trial court save and except on the dates when their presence is necessary.

We are satisfied that the Special Leave Petition may be disposed of in terms of the interim order dated July 6, 2011. We order accordingly.

In view of the above, non-bailable warrant issued against the petitioner No. 3 does not survive and stands quashed.

Having regard to the controversy, we expect the trial court to conclude the trial expeditiously and preferably within one year from the date of the production of the order of this Court.

