

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CRL.) NO(s). 83 OF 2013

S.G. AGGARWAL

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA &amp; ORS.

Respondent(s)

(With appln(s) for interim Relief and office report)

Date: 10/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s)

Mr. V.K. Bali, Sr.Adv.

Mr. Saurabh Kirpal, Adv.

Mr. Sanjay Agarwal, Adv.

Dr. G.K. Sarkar, Adv.

Ms. Malabika Sarkar, Adv.

Mr. Rakesh Dahiya, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Taken on Board.

List in the second week of July, 2013.

Learned counsel for the petitioner made a fervent appeal that the petitioner may be granted a week's time to move the appropriate Court for grant of anticipatory bail as the warrant of arrest is likely to be issued in a day or two and in spite of the fact that the petitioner has a strong case for grant of anticipatory bail, he would not even get a chance to move any application for the grant of anticipatory bail before higher forum due to the amendment introduced in the Maharashtra Act 24 of 1993 w.e.f. 28.7.1993 having great impact on Section 438 of the Code of Criminal Procedure, 1973.

In view of the aforesaid background, petitioner is granted seven days time to be counted from today to move an appropriate Court for grant of anticipatory bail.

The execution of arrest warrant therefore if issued, be deferred for a period of seven days.

We however, make it explicitly clear that we have not expressed any opinion on the merit of the matter insofar as the substance of the allegation by the prosecution is concerned. The court below would be absolutely at liberty to consider the merit of the matter without being influenced in any manner by the fact that we have deferred the execution of warrant of arrest for a period of seven days merely due to exigency of the situation.

(NAVEEN KUMAR)  
COURT MASTER

(SNEH BALA MEHRA)  
COURT MASTER