

ITEM NO.4

COURT NO.4

SECTION IIA

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 (Cr1.) No(s). 993/2016

(Arising out of impugned final judgment and order dated 20/10/2015
in WP No. 5625/2015 passed by the High Court of M.P. at Indore)

SHARAD TIKAMDAS KABRA

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(with appln. (s) for exemption from filing c/c of the impugned
judgment and exemption from filing O.T. and permission to file
additional documents and permission to file lengthy list of dates
and interim relief and office report)

WITH

SLP(Cr1) No. 9528/2015

(With appln.(s) for directions and permission to file additional
documents and permission to place addl. documents on record and
intervention and Office Report)

SLP(Cr1) No. 9945/2015

(With appln.(s) for exemption from filing c/c of the impugned
judgment and Office Report)

W.P.(Cr1.) No. 189/2015

(With appln.(s) for bail and Office Report)

T.P.(Cr1.) No. 151-157/2016

(With appln.(s) for stay and Office Report)

T.P.(Cr1.) No. 150/2016

(With appln.(s) for stay and Office Report)

Date : 26/07/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Vikram Chaudhari, Sr. Adv.
Mr. Nikhil Jain, AOR
Mr. Harshit Sethi, Adv.
Mr. Gagan Deep Sharma, Adv.
Ms. Preeti Singh, Adv.
Mr. Rishi Sehgal, Adv.
Ms. Himanjali Gautam, Adv.

Mr. Atul Nanda, Sr. Adv.
Mr. Ram Naresh Yadav, AOR.

Mr. Shyam Divan, Sr. Adv.

For Respondent(s) Mr. Shiv Sagar Tiwari, AOR

Mr. Ritesh Kumar, Adv.
Ms. Nisha Bagchi, Adv.
Mr. Abhinav Mukherjee, Adv.
Mr. Manoj Singh, Adv.
Mr. B. Krishna Prasad, AOR

Ms. Hemantika Wahi, AOR
Ms. Aagam Kaur, Adv.
Ms. Puja Singh, Adv.

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

SLP (Cr1.) No. 993/2015, W.P.(Cr1.) No.189/2015, T.P.(Cr1.)
No.151-157 and 150/2016

Let the matters be listed on 1.08.2016 for final disposal. Be it clarified, we have kept the matter on a non-miscellaneous day as the point that has been canvassed by the petitioner only pertains to whether the offence is cognizable or not.

SLP (Cr1) Nos. 9528 and 9945 of 2015

Mr. Shyam divan, learned senior counsel for the petitioners submits that his case pertains to grant of bail under Section 439 of the Code of Criminal Procedure but the said prayer has been negated by the High Court by placing reliance on Section 45 of the Prevention of Money Laundering Act, 2002. Learned senior counsel would further submit that he has been continuing on interim bail, for he had already remained in custody for more than 16 months. It is also urged by him that the maximum sentence in question is seven years and the minimum is three years and, therefore, as has been interpreted by this Court in Ranjitsing Bhahmajeetsing Sharma vs. State of Maharashtra & Anr. [(2005) 5 SCC

294], the petitioner will be entitled to be enlarged on bail.

Call on 1.8.2016.

Interim order to continue till then.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master