

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).4692/2011

(From the judgement and order dated 08/04/2011 in CRLA No.1887/2000,CRLA No.675/2001 of The HIGH COURT OF UTTARAKHAND AT NAINITAL)

SANJEEV KUMAR GUPTA

Petitioner(s)

VERSUS

STATE OF U.P.(NOW UTTARAKHAND)

Respondent(s)

(With appln(s) for exemption from filing O.T., directions, bail, c/delay in filing reply and office report)

SLP(Crl) NO. 4789 of 2011

(With appln. for bail and office report)

SLP(Crl) NO. 4823 of 2011

(With appln. for bail and office report)

SLP(Crl) NO. 4843 of 2011

(With appln. for bail and office report)

SLP(Crl) NO. 5286 of 2011

(With appln. for bail and office report)

SLP(Crl) NO. 5300 of 2011

(With appln. for bail and office report)

SLP(Crl) NO. 5365 of 2011

(With appln. for bail and office report)

Date: 11/03/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

Amicus Curiae Mr. Gaurav Agrawal, Adv.

For Petitioner(s) Mr. Y. Prabhakara Rao,Adv.

Mr. U.U. Lalit, Sr.Adv.

Mr. R.S. Suri, Sr. Adv.

Mr. Ranjit Kumar, Sr. Adv.

Mr. Rahul Malhotra, Adv.

Mr. Amit Lamba, Adv.

Ms. Pallavi Tayal, Adv.

Mr. Chanchal Kumar Ganguli, Adv.

Mr. R.L. Khurana, Sr. Adv.

Mr. M.C. Dhingra, Adv.

For Respondent(s) Mr. Rahul Verma, Adv.

Mr. Jatinder Kumar Bhatia,Adv.

Mr. Ashutosh Sharma, Adv.

Dr. Abhishek Atrey, Adv.

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For Intervener(s) Mr. J.K. Sethi, Adv.

Mr. Umesh Arora, Adv.

Ms. Indra Sawhney, Adv.

UPON hearing counsel the Court made the following

O R D E R

In pursuance of our order dated November 5, 2012, a further

report dated February 13, 2013 has come from the Director General of Police, Uttarakhand.

From the latest report, it appears that now all the four accused who sent the offending text to Mr. Umesh Arora, (the counsel appearing for the complainant), along with the seven accused, who are lodged in jail and whose appeals are presently pending before this Court, have now been charged under Sections 506 and 120B, apart from other provisions of the Penal Code.

Further, Shri, D.S. Rawat, who had earlier investigated the case, has now been charge-sheeted under Sections 120B read with Section 218 of the Penal Code.

Mr. Gaurav Agarwal, learned amicus curiae, on going through the report of the Director General of Police dated February 13, 2013, submitted that he was by and large satisfied with the action taken by the Police, which appears to be in substantial compliance with the Court's order.

Mr. J.K. Sethi, learned counsel appearing for Mr. Umesh Arora, submitted that apart from being criminally liable, the accused were also liable to be proceeded against for contempt of this Court because their actions were aimed at interference with Court's proceedings.

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At this stage, we simply note the submission of Mr. Sethi leaving that question open for the present.

Leave is granted in all the special leave petitions.

Hearing of appeals be expedited.

Having regard to the antecedent developments, Mr. U.U. Lalit, learned senior counsel, is not pressing the bail applications of the appellants. Nevertheless, we deem it proper to reject the prayer for bail of the appellants.

Permission is granted to Mr. Jitender Sethi, learned counsel appearing for the intervener to file counter affidavit.

|(Neetu Khajuria)

|(Sneh Bala Mehra)

|Sr.P.A.

|Court Master

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