

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 (CrI) No(s).4815/2011
(From the judgement and order dated 27/06/2011 in CRLA No.233/2010, CRLA No.1130/2010, CRLA No.107/2011CRLA No.484/2011 of The HIGH COURT OF BOMBAY AT NAGPUR)

PRAMOD AGRAWAL

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(With appln(s) for ex-parte stay, exemption from filing O.T., directions, permission to place addl. documents on record, permission to file additional documents and office report)
(FOR FINAL DISPOSAL)

WITH SLP(CrI) NO. 4844 of 2011

(With applns. for directions, stay and permission to place addl. documents on record and office report)
(FOR FINAL DISPOSAL)

SLP(CrI) NO. 4879-4881 of 2011

(With applns. For directions, stay and office report)
(FOR FINAL DISPOSAL)

Date: 14/09/2012 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. Anand Mishra, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.

For Respondent(s)

Mr. Chinmay A. Khaladkar, Adv.
Ms. Asha Gopalan Nair, Adv.

UPON hearing counsel the Court made the following

O R D E R

Interim liberty was granted to the petitioner by this Court, subject to the deposit of Rs.20 crores, the amount which was stated to have been embezzled / misappropriated by the petitioner.

It has been stated by learned counsel appearing for the petitioner that out of this amount, Rs.10 crores have already been deposited or settled directly with the investors, however, the remaining Rs.10 crores have not been either deposited or settled directly with investors. The reason given is that all the immovable properties of the petitioner have been attached by the Income Tax authorities and despite his desire to settle the matter with the Income Tax authorities as well as investors, he is not able to proceed any further.

Firstly, we observe that it is not for this Court to go into this factual matrix and it is expected of the petitioner to satisfy the trial Court in this behalf.

Secondly, we see no reason to keep this petition pending any further and the same stands disposed of with liberty to the petitioner to apply for regular bail before the trial Court within two weeks from today and upon filing of such application by the petitioner, the same may be considered by the trial Court on its own merits and in accordance with law.

We make it clear that till the expiration of two weeks from today, the petitioner may not be arrested.

