

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).5787/2011

(From the judgement and order dated 27/07/2011 in CRLMA No. 10557/2011 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

JAGUBHAI @ JOGIDAS BHURABHAI KHACHAR Petitioner(s)

VERSUS

STATE OF GUJARAT Respondent(s)
(with appln(s) for exemption from filing c/c of the impugned order,
praying for staying of arrest and exemption from filing OT)

WITH
S.L.P.(CRL.) NO.5788 AND 5794 OF 2011
(with appln(s) for exemption from filing c/c of the impugned order,
praying for staying of arrest and exemption from filing OT)

Date: 05/08/2011 These Petitions were called on for mentioning today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Mr. Huzefa Ahmadi, Adv.
Mr. Rauf Rahim, Adv.
Mr. Abhijat P. Medh, Adv.
Mr. Yadunandan Bansal, Adv.

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

Heard learned counsel for the petitioners.

No case for grant of anticipatory bail is made out.

The Special Leave Petitions are dismissed. However, we wish to reiterate that inherent in the power to grant bail is the power to grant interim bail, pending final disposal of the bail application. This is in view of Article 21 of the Constitution of India which guarantees the right of reputation to every person.

Hence, the petitioners may apply for regular bail along with an application for interim bail. If such an application is filed, the trial Court is directed to decide the interim bail application, pending final disposal of the bail application, on the same day on which it is filed and

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on its own merits in accordance with law. We make it clear that this shall not be taken as an expression of opinion as if we are inclined or not inclined to release the petitioners on bail.

For a period of two weeks from today, the petitioners shall not be arrested so as to enable them to file an application for regular bail along with an

application for interim bail.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master