

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).8164-8166/2021
[Arising out of impugned final judgment and order dated 03-11-2020
in CRLREVP No.1219/2019, 03-11-2020 in CRLREVP No.1220/2019,
03-11-2020 in CRLREVP No.1222/2019 passed by the High Court of
Delhi at New Delhi]

MOHD. ARBAZ & ORS.

Petitioner(s)

VERSUS

STATE OF NCT OF DELHI

Respondent(s)

WITH

SLP(CrI) No. 8496-8497/2021 (II-B)

(IA No. 164255/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA
No.164253/2021 - EXEMPTION FROM FILING O.T., IA No. 164250/2021 -
PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA
No.149482/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

SLP(CrI) No. 8718/2021 (II-B)

(IA No. 147020/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

SLP(CrI) No. 355/2022 (II-B)

(IA No. 7098/2022 - EXEMPTION FROM FILING O.T.)

SLP(CrI) No. 532/2022 (II-B)

SLP(CrI) No. 2666/2022 (II-B)

(IA No. 46867/2022 - APPLICATION FOR TAKING ON RECORD, IA
No.53398/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 46871/2022 -
EXEMPTION FROM FILING AFFIDAVIT, IA No. 41462/2022 - EXEMPTION FROM
FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 41461/2022 - PERMISSION
TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(CrI) No. 5190/2022 (II-B)

(IA No. 79259/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(CrI) No. 11181/2022 (II-B)

SLP(CrI) No. 6876-6877/2022 (II-B)

(IA No. 103181/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

SLP(CrI) No. 11349/2022 (II-B)

(IA No. 115643/2022 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES)

**SLP(Crl) No. 6865-6866/2023 (II-B)
(IA No. 105482/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

**SLP(Crl) No. 11628/2022 (II-C)
(IA No. 41799/2023 - APPLICATION FOR PERMISSION, IA No. 52371/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)**

**SLP(Crl) No. 4107/2023 (II-C)
(IA No. 41886/2023 - CLARIFICATION/DIRECTION, IA No. 5571/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.5572/2023 - EXEMPTION FROM FILING O.T.)**

SLP(Crl) No. 1929/2023 (II-C)

**SLP(Crl) No. 2562/2023 (II-B)
(IA No. 39415/2023 - EXEMPTION FROM FILING O.T.)**

**SLP(Crl) No. 3850/2023 (II-B)
(IA No.60330/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

**SLP(Crl) No. 5744-5746/2023 (II-B)
(FOR ADMISSION and I.R. and IA No.78045/2023-CONDONATION OF DELAY IN FILING and IA No.78046/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

**SLP(Crl) No. 8610/2023 (II-C)
(FOR ADMISSION and I.R. and IA No.134901/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

**SLP(Crl) No. 12132/2023 (II-C)
(IA No. 54745/2024 - APPLICATION FOR TAGGING/DETAGGING, IA No.179632/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 179633/2023 - EXEMPTION FROM FILING O.T., IA No.13190/2024 - INTERIM BAIL)**

SLP(Crl) No. 12200/2023 (II-C)

**Diary No(s). 41755/2023 (II-C)
(IA No.212952/2023-CONDONATION OF DELAY IN FILING and IA No.212951/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.212953/2023-EXEMPTION FROM FILING O.T.)**

**SLP(Crl) No. 13327/2023 (II-C)
(IA No. 212917/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 212918/2023 - EXEMPTION FROM FILING O.T.)**

SLP(Crl) No. 13501/2023 (II-C)

Diary No(s). 43791/2023 (II-C)

(FOR ADMISSION and I.R. and IA No.234690/2023-CONDONATION OF DELAY IN FILING and IA No.234689/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(Crl) No. 4333/2024 (II-C)

SLP(Crl) No. 3629/2024 (II-C)

SLP(Crl) No. 3446/2024 (II-C)

SLP(Crl) No. 11192/2024 (II-B)

(IA No. 183814/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 183815/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(Crl) No. 10939/2024 (II-C)

(IA No.178921/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(Crl) No. 12542/2024 (II-C)

Date : 13-11-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. Balaji Srinivasan, AOR

Mr. Yadav Narender Singh, AOR

Mr. Somesh Chandra Jha, AOR
Mr. Amartya Ashish Sharan, Adv.
Mr. Akash Kishore, Adv.
Mr. Animesh Rajoriya, Adv.

Mr. Shivam Singh, Adv.
Mr. Vikram Hegde, AOR
Mr. Chitwan Sharma, Adv.
Mr. Ashutosh Yadav, Adv.

Mr. Raghav Gupta, Adv.
Mr. Anas Tanwir, AOR
Mr. Ebad Ur Rahman, Adv.
Mr. Masoom Raj Singh, Adv.
Mr. Mohammad Asif Abbas, Adv.
Mr. Zainab Shaikh, Adv.

Mr. Jayant Kothari, Sr. Adv.
Mr. Anas Tanwir, AOR
Mr. Ebad Ur Rahman, Adv.
Mr. Masoom Raj Singh, Adv.

Mr. Zainab Shaikh, Adv.
Mr. Mohammad Asif Abbas, Adv.

Mr. Rudra Chatterjee, Adv.
Mr. Anas Tanwir, AOR
Mr. Ebad Ur Rahman, Adv.
Mr. Masoom Raj Singh, Adv.
Mr. Zainab Shaikh, Adv.
Mr. Mohammad Asif Abbas, Adv

Mr. Pankaj Pandey, Adv.
Ms. Megha Karnwal, AOR
Mr. Lalit Rajpoot, Adv.

Mr. Ajay Pal, AOR

Ms. Ashima Mandla, AOR
Ms. Mandakini Singh, Adv.
Mr. Vipul Pathak, Adv.

Mr. Nishant Singh, AOR

Mr. Vikas Sharma, Adv.
Mr. Vikram Hegde, Adv.
Ms. Devanshi Sharma, Adv.
Mr. Sandeep Sharma, Adv.
Mr. Anil Kumar, AOR

Mr. Bhanwar Pal Singh Jadon, D.A.G.
Mr. Harsh Vardhan Singh Rajawat, Adv.
Mr. Chetan Jadon, Adv.
Ms. Hemlata Singh Rathore, Adv.
Mr. Samar Vijay Singh, AOR
Dr. Vps Jadon, Adv.
Ms. Sabarni Som, Adv.
Mr. Fateh Singh, Adv.
Ms. Kanika, Adv.

Mrs. Tanuj Bagga Sharma, AOR
Dr. M.K. Ravi, Adv.
Mr. Denson Joseph, Adv.
Mr. Manoj Kumar Khanna, Adv.

Mr. Akshay Bhandari, Adv.
Mr. Kushal Kumar, Adv.
Ms. Megha S., Adv.
Mr. Anmol Sachdeva, Adv.
Mr. Janak Raj Anbar, Adv.
Mr. Ashish Batra, AOR

Mr. Sriram P., AOR

Mr. Harshit Sethi, Adv.
Mr. Rahil Mahajan, Adv.
Mr. Nikhil Jain, AOR
Ms. Divya Jain, Adv.

Mr. Aabhas Kshetarpal, Adv.
Mr. Dhiliban Varadarajan, Adv.
Mr. Siddhartha Jha, AOR

Mr. Hiren Dasan, AOR
Mr. Krishnendu Bhattacharya, Adv.
Ms. Shivani M. Lal, Adv.
Mr. Amolak Singh, Adv.
Mr. Deepanshu Rana, Adv.

Ms. Anzu. K. Varkey, AOR

Ms. Ashima Mandla, Adv.
Ms. Mandakini Singh, Adv.
Mr. Vipul Pathak, Adv.
Ms. Ankita Chaudhary, AOR

Mr. Anil Kumar Verma, AOR
Mr. Mukesh Kumar Verma, Adv.
Ms. Priyanka, Adv.
Mr. Kundan Kumar, Adv.
Ms. Baby Rajput, Adv.
Mr. Ajay Agarwal, Adv.
Mr. Ashwani Kumar Sharma, Adv.
Mr. Meghraj Singh, Adv.
Mr. Ajay Kumar Saini, Adv.
Mr. Ashutosh, Adv.
Mr. Ayush Tomar, Adv.

Mr. R.a. Worso Zimik, Adv.
Mr. Dhiraj Abraham Philip, AOR
Mr. Febin M. Varghese, Adv.
Ms. Achalika Ahuja, Adv.

Mr. Tripurari Ray, Adv.
Mr. Balwant Singh Billowria, Adv.
Mr. M S Khan, Adv.
Ms. Qausar Khan, Adv.
Mr. Anirudh Ray, Adv.
Ms. Shilpa Singh, AOR

For Respondent(s) Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Mr. Vikramjeet Banerjee, A.S.G.
Mrs. Aishwarya Bhati, A.S.G.
Ms. Swarupama Chaturvedi, Sr. Adv.

Ms. Indira Bhakar, Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. S N Terdal, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Merusagar Samantary, Adv.
Mrs. Vanshaja Shukla, Adv.
Ms. Megha Karanwal, Adv.
Mr. Ritwiz Rishabh, Adv.
Mr. Chitransh Sharma, Adv.
Mr. Prashant Rawat, Adv.
Mr. Anmol Chandan, Adv.
Mr. Parantap Singh, Adv.
Mr. Harish Pandey, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Rajat Nair, Adv.
Mr. Ayush Anand, Adv.
Mr. Kamal Kishore, Adv.

Mr. Arunabh Chowdhury, Sr. Adv. (A.A.G.)
Mr. Pragya Baghel, Adv.
Ms. Tulika Mukherjee, AOR

Ms. Anju Thomas, Adv.
Ms. Astha Sharma, AOR
Ms. Mantika Haryani, Adv.
Mr. Bhanu Mishra, Adv.

Mr. Vikramjeet Banerjee, A.S.G.
Mrs. Aishwarya Bhati, A.S.G.
Mrs. Sairica S Raju, Adv.
Mr. Alabhya Dhamija, Adv.
Mr. Anmol Chandan, Adv.
Mr. Prashant Rawat, Adv.
Mrs. Swarupama Chaturvedi, Adv.
Ms. Shivika Mehra, Adv.
Mr. Prasanjeet Mohapatra, Adv.
Mr. Ritwiz Rishabh, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Rajan Kumar Chourasia, Adv.
Mr. Sarthak Karol, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. Ayush Anand, Adv.

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Amogh Bansal, Adv.
Ms. Nidhi Jaswal, AOR

Ms. Nandini Sen Mukherjee, AOR

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Neeraj, A.A.G.
Mr. Akshay Amritanshu, AOR
Mr. Piyush Beriwal, Adv.
Mr. Rudra Paliwal, Adv.
Ms. Drishti Saraf, Adv.
Ms. Pragya Upadhyay, Adv.
Ms. Swati Mishra, Adv.
Mr. Vedansh Anand, Adv.
Ms. Damini Garg, Adv.
Mr. Sandip, Adv.
Mr. Veevek Goel, Adv.

Mr. Avishkar Singhvi, Adv.
Mr. Siddhant Sharma, AOR
Mr. Prafull Bhardwaj, Adv.
Ms. Muskaan, Adv.

Mr. Anando Mukherjee, AOR

Mr. Sabarish Subramanian, AOR

Mr. Gaurav Khanna, AOR
Ms. Natasha Sahrawat, Adv.
Mr. Gautam Barnwal, Adv.
Ms. Deepali Bhanot, Adv.
Mr. Rudraksh Pandey, Adv.
Ms. Alisha Roy, Adv.

Mr. Samir Ali Khan, AOR
Mr. Pranjal Sharma, Adv.
Mr. Kashif Irshad Khan, Adv.
Mr. Shoaib Alam, Adv.
Mr. Anuj Sharma, Adv.
Mr. Abhimanyu Jhamba, Adv.

Mr. Ravindra S. Garia, AOR
Ms. Rachna Gandhi, Adv.
Mr. Shashank Singh, Adv.
Mr. Madan Chandra Karnatak, Adv.

Mr. Sharan Dev Singh Thakur, Sr. A.A.G.
Ms. Ruchira Goel, AOR
Mr. Siddharth Thakur, Adv.
Mr. Sharanya Sinha, Adv.
Mr. Mustafa Sajad, Adv.

Mr. Ankit Roy, AOR

Mr. Sameer Abhyankar, AOR
Mr. Rahul Kumar, Adv.
Mr. Aryan Srivastava, Adv.

Ms. Ayushi Bansal, Adv.
Mr. Aakash Thakur, Adv.
Mr. Sarthak Dora, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

Mr. Pankaj Pandey, Adv.
Ms. Megha Karnwal, AOR
Mr. Lalit Rajpoot, Adv.

Mr. Siddharth R. Gupta, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Sankalp Kochar, Adv.
Mr. Siddhant Kochar, Adv.
Mr. Shrey Damhare, Adv.
Mr. Shantanu Sharma, Adv.
Mr. Aman Agarwal, Adv.

Mr. Siddharth R. Gupta, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Sankalp Kochar, Adv.
Mr. Siddhant Kochar, Adv.
Mr. Shrey Damhare, Adv.
Mr. Shantanu Sharma, Adv.
Mr. Aman Agarwal, Adv.

Mr. Arunabh Chowdhury, Sr. Adv. (A.A.G.)
Mr. Pragya Baghel, Adv.
Ms. Tulika Mukherjee, AOR

Mr. Ninad Laud, Adv.
Mr. Zubin Dash, Adv.
Mr. Guruprasad Naik, Adv.
Mr. Dcosta Ivo Manuel Simon, AOR

Mr. Arunabh Chowdhury, Sr. Adv. (A.A.G.)
Mr. Pragya Baghel, Adv.
Ms. Tulika Mukherjee, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Amogh Bansal, Adv.
Ms. Nidhi Jaswal, AOR

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

1. Learned counsel for the petitioners as well as learned State

counsel seek and are granted two weeks' time to formulate the questions that arises for consideration before this Reference Bench. While formulating the questions, the learned counsel shall focus on the irreversible consequences as also the mandatory nature of the procedural compliances, with a view to safeguard the interest of the accused as well as the prosecution.

2. All the learned counsel, appearing for the petitioners, shall handover their suggestions within 10 days to Ms. Ashima Mandla, AOR, who shall collate and place the same on record from the petitioners' side within two weeks. Similarly, all the learned counsel, appearing for the respondents, shall handover their suggestions within three weeks to Mr. Siddhant Sharma, AOR, who shall collate and place the same on record from the respondents side.

3. List the matters on 12.12.2024 at 2 p.m.

SLP(Crl) No.12132/2023 & SLP(Crl) No.13327/2023

4. Learned counsel for the petitioners seek and are permitted to withdraw the special leave petitions with liberty to approach the appropriate forum.

5. The special leave petitions are dismissed as withdrawn with liberty as aforesaid.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR