

ITEM NO.31 Court 1 (Video Conferencing) SECTION II-C

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 (Cr1.) No(s).8164-8166/2021

(Arising out of impugned final judgment and order dated 03-11-2020 in CRLREVP No.1219/2019, CRLREVP No.1220/2019 and 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)

([TO BE TAKEN UP AFTER ADMISSION MATTERS])

WITH

SLP(Cr1) No. 8718/2021 (II-B)

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

SLP(Cr1) No. 8496-8497/2021 (II-B)

(FOR ADMISSION and I.R. and IA No.143228/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.143229/2021-EXEMPTION FROM FILING O.T.)

Date : 13-12-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. M.L. Saggar, Sr.Adv.
Mr. Sunny Saggar, Adv.
Ms. Armaan Saggar, Adv.
Mr. Aditya Sanghi, Adv.
Mrs. Tanuj Bagga Sharma, AOR

Mr.R. Basant, Sr.Adv.
Mr. Sriram P., AOR
Mr. Mathai Muthirenty, Adv.
Mr. Sreejith Shivaraj, Adv.
Mr. M.S. Vishnu Shankar, Adv.
Ms. Anitha, Adv.
Mr. Sarath Janardanan, Adv.
Mr. Pawan Kr. Dabas, Adv.
Ms. Prerna Robin, Adv.
Ms. Muskaan Garg, Adv.
Ms. Jessica Bhardwaj, Adv.

Mr. Prateek Som, Adv.

Dr. Monika Gusain, AOR

Mr. Rudro Chatterjee, Adv.
Mr. Shariq Nisar, Adv.
Mr. Yashovardhan Oza, Adv.
Mr. Anas Tanwir, AOR

For Respondent(s)

Mr. Aman Lekhi, ASG
Mr. Anmol Chandan, Adv.
Ms. Swarupma Chaturvedi, Adv.
Mr. Ritwiz Rishabh, Adv.
Mr. Ujjwal Sinha, Adv.
Mr. Aniket, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Neeraj, AAG
Mr. Ankit Raj, Adv.
Mr. Vedansh Anand, Adv.
Dr. Monika Gusain, AOR

Mr. G.Prakash, Adv.
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.
Mr. Anoop R., Adv.

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

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

The Court is convened through Video Conferencing.

SLP(Crl.)No(s).8164-8166/2021

The main relief sought by the petitioners in these petitions is that they are entitled to bail in default on account of the fact that the investigating agency has failed to file a police report under Section 173(2) of the Cr.P.C. within the stipulated period of one hundred and eighty days. Although, it is not disputed that a report was filed within the stipulated period, the petitioners contend that the said report was incomplete as it was not accompanied by the report of the Chemical Examiner.

Heard learned counsel for the parties and carefully perused the material placed on record.

Taking into consideration the fact that the petitioners

have suffered incarceration for a period of more than 2 years and 11 months, we are inclined to grant interim bail to them for a period of three months from today subject to the terms and conditions to be imposed by the trial court.

The petitioners are, accordingly, directed to be enlarged on interim bail for a period of three months from today subject to the terms and conditions to be imposed by the trial court.

List these matters on 08.02.2022 for final disposal.

SLP(Cr1) No. 8718/2021

The relief sought by the petitioner in this petition is that he is entitled for default bail as the complete and final challan has not been filed within 180 days and the final report was not accompanied with an FSL Report.

Heard learned counsel for the parties and carefully perused the material placed on record.

Taking into consideration the fact that the petitioner has suffered incarceration for a period of more than 1 year and 4 months, we are inclined to grant interim bail to the petitioner for a period of three months from today subject to the terms and conditions to be imposed by the trial court.

The petitioner is, accordingly, directed to be enlarged on interim bail for a period of three months from today subject to the terms and conditions to be imposed by the trial court.

List the matter on 08.02.2022 for final disposal.

SLP(Cr1) Nos. 8496-8497/2021

Heard learned counsel for the parties and carefully perused the record.

List these matters on 08.02.2022 for final disposal.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)