

ITEM NO.35 COURT NO.13 SECTION II  
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).7124/2010

(From the judgement and order dated 05/08/2010 in CRLMC No.  
1826/2010 of The HIGH COURT OF DELHI AT N. DELHI)

SUN DISTRIBUTIONS SERVICES & ANR Petitioner(s)

VERSUS

STATE OF DELHI & ANR Respondent(s)  
(With appln(s) for stay and office report)

WITH SLP(Crl) NO. 7200 of 2010  
(With appln(s) for ex-parte stay office report)

Date: 08/04/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. K. K. Venugopal, Sr. Adv.  
Mr. Sidarth Luthra, Sr. Adv.  
Mr. Vivek Sibal, Adv.  
Mr. Rahul Sharma, Adv.  
Mr. P.N. Puri, Adv.

For Respondent(s) Mr. P. P. Malhotra, ASG  
Mr. P. K. Dey, Adv.  
Ms. Sadhana Sandhu, Adv.  
Ms. Gargi Khanna, Adv.  
Mrs Anil Katiyar ,Adv.

Mr. Ajay Kr. Gupta, Adv.  
Mr. Arun Kumar Beriwal, Adv.

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

Leave granted.  
The appeals stand disposed of in terms of the

signed order.

(Neetu Sachdeva) (Sneh Bala Mehra)  
Sr. P. A. Court Master

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 903 & 904 OF 2011  
(@ Special Leave Petition (Crl.) Nos.7124 & 7200 of 2010)

SUN DISTRIBUTIONS SERVICES & ANR Appellant(s)/  
Petitioner(s)

VERSUS

STATE OF DELHI & ANR Respondent(s)

O R D E R

Leave granted.

These appeals by Special Leave Petitions are directed against the order dated 5.8.2010 rendered by the learned Single Judge of the High Court of Delhi in Crl.M.C.Nos.1826 & 1824 of 2010 by which it was directed that the matter be placed for hearing on 7.9.2010 for arguments and the proceedings before the trial court to continue because there would be no stay of the proceedings pending before the trial court.

This Court has heard the learned counsel for the parties. The Special Leave Petitions were placed for preliminary hearing before the Court on 6.9.2010 and after hearing the learned counsel for the petitioner, following order was passed -

"Issue notice on both the special leave petitions.

By way of ad-interim relief, prayers made in para 4(a) of Crl. M. P. No.18067 of 2010 which is filed in SLP (Crl.) No.7124/2010 and 18231 of 2010 which is filed in SLP (Crl.) No.7200/2010 are granted."

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Initially, the High Court by order dated 26.5.2010 had stayed the operation of order dated 12.3.2010 by which the petitioners were summoned but the same was vacated by the impugned order, without recording reasons. Having regard to the facts of the case, this Court is of the opinion that interest of justice would be served if the interim relief granted by this Court vide order dated 6.9.2010 as modified by orders dated 16.11.2010 and 14.1.2011 is continued till the disposal of the Crl. M. C. Nos.1826 & 1824 of 2010 pending before the High Court and the High Court is requested to dispose of the matter as early as possible.

For the foregoing reasons, the appeals partly succeed. The impugned orders vacating earlier stay orders are set aside. The interim relief granted by this Court vide order dated 6.9.2010 as modified by orders dated 16.11.2010 and 14.1.2011 shall continue to operate till

the disposal of the Crl. M. C. Nos.1826 & 1824 of 2010 pending before the Delhi High Court. The High Court is requested to dispose of the petitions as early as possible, without any avoidable delay and preferably within six months from today.

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Subject to above-mentioned directions, the appeals stand disposed of

.....J.  
(J.M. PANCHAL)

NEW DELHI  
APRIL 8, 2011

.....J.  
(H. L. GOKHALE)