

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRLMP.NO. 17753/2008 in

Petition(s) for Special Leave to Appeal (Crl) No(s).7134/2008

(From the judgement and order dated 19/09/2008 in CAN No. 7812/2008 of
The HIGH COURT OF CALCUTTA)

ASHOK KUMAR TODI

Petitioner(s)

VERSUS

KISHWAR JAHAN & ORS.

Respondent(s)

(With appln(s) for clarification/modification of court's order and permission to file
addl. documents)

Date: 25/11/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. H.N.Salve, Sr. Adv.

Mr. L.N.Rao, Adv.

M/s. Rana Mukherjee, Jaymallya Bagchi,

D.N.Mitra, Amit Basu, Siddharh Gautam, Adv.s. for

M/S. Victor Moses & Associates, Adv.

For Respondent(s) Mr. Kalyan Bandopadhyay, Sr. Adv.

Mrs Sarla Chandra, Adv.

for CBI

Mr. Amit Anand Tiwari, Adv.

Mr. B.K.Prasad, Adv.

UPON hearing counsel the Court made the following
ORDER

The petitioner is one of the accused in a case pending
before the 14th Metropolitan Magistrate, Calcutta. The petitioner
seeks clarification of the order passed by this Court on 13.10.2008
wherein this Court directed that the trial as against the petitioner
shall not be commenced till the writ appeal pending before the

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Division Bench of the High Court and High Court was requested to
dispose of the matter at least within a period of six months. The
petitioner now urges that the entire proceedings of the case be
stayed.

We have heard learned counsel for the petitioner, CBI and
for the writ petitioners before the High Court of Calcutta. Counsel

for the petitioner states that the petitioner would be present in Court on 1st December, 2008 before the 14th Metropolitan Magistrate, Calcutta. In the event of petitioner moving for any bail application, the same may be considered and appropriate orders be passed by the Magistrate on the same date. The counsel for the writ petitioner and the petitioner would also be present on that day to assist the Court.

The non-bailable warrants issued against the petitioner shall not be executed till that date.

The criminal miscellaneous petition is disposed of accordingly.

[SUMAN WADHWA]
COURT MASTER

[VEERA VERMA]
COURT MASTER