

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION(S)(CRIMINAL) NO(S). 397/2023

CHETAN & ORS.

Petitioner(s)

VERSUS

STATE (GOVT. OF NCT OF DELHI)

Respondent(s)

[ONLY CONNECTED MATTERS ARE LISTED UNDER THIS ITEM]

WITH

W.P.(CrI.) No. 426/2023 (X)

(IA No. 45793/2024 - APPLICATION FOR VACATION OF INTERIM ORDER AND
IA No. 189666/2023 - STAY APPLICATION)

SLP(CrI) No. 1484-1496/2024 (II-C)

(IA NO.23670/2024 - STAY APPLICATION, IA NO.23671/2024 - EXEMPTION
FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA NO.115899/2024 - STAY
APPLICATION, IA NO.258063/2024 - INTERIM BAIL, IA NO.280837/2024 -
DISCHARGE OF ADVOCATE ON RECORD, IA NO.280854/2024 - INTERIM BAIL
AND IA NO.63/2025 - EXTENSION OF TIME)

SLP(CrI) No. 1985-1987/2024 (II-C)

(IA No. 33592/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND IA No. 33590/2024 - STAY APPLICATION AND IA NO.34/2025
- EXTENSION OF TIME)

SLP(CrI) No. 1617/2024 (II-C)

(IA No. 27079/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND IA No. 27081/2024 - STAY APPLICATION)

W.P.(CrI.) No. 237/2024 (X)

(FOR ADMISSION and IA No.126756/2024-STAY APPLICATION)

Date : 03-01-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Rishi Malhotra, Sr. Adv.

Mr. Prem Malhotra, AOR

Ms. Ansuiya, Adv.

Mr. Shivaansh Maini, Adv.

Mr. Varun Mishra, AOR

Mr. Hemendra Jailiya, Adv.

Mr. Kanhaiya Singhal, AOR
Ms. Ankita Makan, Adv.
Mr. Aaditya Saraj, Adv.
Mr. Pulkit Jolly, Adv.
Ms. Anisha Rastogi, Adv.
Ms. Nivedita, Adv.
Mr. Prasanna, Adv.
Mr. Ajay Kumar, Adv.
Ms. Vani Singhal, Adv.

For Respondent(s) Mr. Sachin Sharma, Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. Vatsal Joshi, Adv.
Mr. Rohit Pandey, Adv.
Mr. Shivank Pratap Singh, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Zoheb Hussain, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Arkaj Kumar, Adv.
Mr. Nar Hari Singh, Adv.
Ms. Sunita Sharma, Adv.
Mr. Ishaan Kapoor, Adv.
Mr. Ishaan Kapur, Adv.
Mr. Kamal Kishore, Adv.

Mr. Shreekant Neelappa Terdal, AOR

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

W.P. (Crl.) No(s).397/2023

1. List on 31st January, 2025.

W.P.(Crl.) No. 426/2023

1. Heard the learned counsel appearing for the parties.
2. Petitioner no.2 has already withdrawn the petition. As far as petitioner nos.1 and 3 are concerned, their applications for premature release have been rejected as can be seen from the counter affidavit. We, therefore, dispose of this Petition with liberty to the petitioner nos.1 and 3 to challenge the said order in accordance with law. We extend the time granted to the

petitioner nos.1 and 3 to surrender by a period of two weeks from today.

3. Pending applications stand disposed of accordingly.

SLP (Crl.) Nos. 1484-1496/2024

1. We have perused the affidavit filed by the petitioner no.13, who has stated on oath in paragraph 11 that he was misled and not informed the exact challenge made in the present Petition and he was also not informed that the Sentence Review Board has already taken a decision. According to us, the statement is not innocuous. If according to petitioner no.13, he had not instructed the Advocate-on-Record to file the present Petitions, he would not have taken the benefit of the interim order passed on 2nd February, 2024 in the present petitions by which exemption from surrendering was granted to the respective petitioners. The learned counsel appearing for petitioner no.13 accepts that the said petitioner surrendered as late as on 9th October, 2024. Therefore, we dismiss the petition as far as petitioner no.13 is concerned.

2. List the Petitions on 31st January, 2025.

3. As far as IA No.280854/2024 is concerned, we permit the petitioner no.8 to file additional documents.

IA NO.63/2025 (FOR EXTENSION OF TIME) IN SLP (CRL.) NOS. 1484-1496/2024

4. Time to comply with order dated 18th November, 2024 is extended by a period of three weeks from today. No further time shall be granted. The application stands disposed of accordingly.

SLP (Crl.) No. 1985-1987/2024

IA No.34/2025 (FOR EXTENSION OF TIME) IN SLP (Crl.) No. 1985-1987/2024

1. Petitioner nos.4, 15, 19 and 21 have been already granted the benefit of premature release and they have been released. For rest of the petitioners, we extend the time granted to comply with the order dated 18th November, 2024 by a period of three weeks from today. No further time shall be granted. The application is disposed of accordingly.

2. List the Petitions on 31st January, 2024.

SLP (Crl.) No. 1617/2024

1. Heard the learned counsel appearing for the parties.

2. It is pointed out across the Bar that the petitioner has already surrendered on 8th October, 2024.

3. The prayer of the petitioner for grant of premature release has been rejected as can be seen from the counter affidavit. Accordingly, we dispose of the Petition with liberty to the petitioner to challenge the said order in accordance with law.

4. Pending applications stand disposed of accordingly.

W.P.(Crl.) No. 237/2024

1. Heard the learned counsel appearing for the parties.

2. The applications for premature release made by the petitioners have been rejected. We, therefore, dispose of the Petition with liberty to the petitioners to challenge the said order in accordance with law. We grant time of two weeks to the petitioners to surrender.

3. Pending application stands disposed of accordingly.

**(ASHISH KONDLE)
COURT MASTER (SH)**

**(AVGV RAMU)
COURT MASTER (NSH)**