

ITEM NO.40+41 Court 3 (Video Conferencing) SECTION II-B

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). 6847/2021

(Arising out of impugned final judgment and order dated 27-08-2021 in CRMM No. 34959/2021 passed by the High Court Of Punjab & Haryana At Chandigarh)

SURENDER SINGH

Petitioner(s)

VERSUS

THE STATE OF HARYANA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.113593/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.114617/2021-APPLICATION FOR PERMISSION...[TO BE TAKEN UP ALONG WITH SLP(Cr1) No. 618/2020])

SLP(Cr1.) No(s). 4634/2014

IA No. 59849/2021 - INTERVENTION APPLICATION)

SLP(Cr1) No. 618/2020 (II-B)

IA No. 13683/2020 - EXEMPTION FROM FILING O.T.

IA No. 60234/2021 - GRANT OF INTERIM RELIEF

IA No. 48649/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(Cr1.) No. 140/2020 (X)

FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 51028/2020

FOR EX-PARTE BAIL ON IA 51029/2020

FOR CLARIFICATION/DIRECTION ON IA 23302/2021

Date : 29-10-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Parties

*Mr. Kapil Sibal, Sr. Adv.

Mr. E. C. Agrawala, AOR

Mr. Sidharth Luthra, Sr. Adv.

Mr. Tarun Dua, AOR

Mr. Anant Garg, Adv.

Mr. Malak Manish Bhatt, AOR

Mr. Gautam Khazanchi, Adv.

Ms. Neeha Nagpal, Adv.

Mr. Nikhil Jain, AOR

Mr. Tushar Mehta, SG
Mr. S.V. Raju, ASG
Mr. Aman Lekhi, ASG
Ms. V.D. Makhija, Sr. Adv.
Mr. Zoheb Hussain, Adv.
Mr. Kanu Agrawal, Adv.
Mr. S.S. Ray, Adv.
Mr. V. Balaji, Adv.
Mr. Rajat Nair, Adv.
Ms. Sarica Raju, Adv.
Ms. Binu Tamta, Adv.
Mr. Ankur Talwar, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. B.V. Balaram Das, AOR
Mr. Mukesh Kumar Maroria, AOR
Mr. Raj Bahadur Yadav, AOR

Mr. Tushar Mehta, SG
Mr. S.V. Raju, ASG
Ms. Sarica Raju, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Shantanu Sharma, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Tushar Mehta, SG
Mr. S.V. Raju, ASG
Mr. Aman Lekhi, ASG
Mr. Mukesh Kumar Maroria, AOR
Mr. Zoheb Hussain Adv.
Mr. Kanu Agarwal, Adv.

Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR
Mr. Aaditya A. pande, Adv.
Mr. Geo Joseph, Adv.

Mr. A.P. Singh, Adv.
Mr. Shreyansh Rathi, Adv.
For M/S. M. V. Kini & Associates, AOR

Mr. Balaji Srinivasan, AOR

Mr. O. P. Gaggar, AOR

Mr. M. T. George, AOR

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

SLP(Cr1.) No(s). 6847/2021

As regards the interim relief, *prima facie*, we find that the loan was taken by the Company much before (seven years earlier) the petitioner became the Director of the Company. Indeed, the petitioner was an authorized signatory to the document executed on 15.12.2017.

Prima facie, we find force in the submission made on behalf of the petitioner that if the co-accused have been granted interim bail by this Court, the same relief be given to the petitioner. More so because, the petitioner is in custody from the year 2019. And the Court could set down the matter for hearing immediately after Diwali Holidays.

Accordingly, in the peculiar facts of the present case, we direct grant of interim bail to the petitioner in connection with Criminal Complaint No. COMA/05/2019 on conditions as may be specified by the Trial Court/Sessions Judge-cum-Special Judge (under the Companies Act, 2013), Gurugram.

The condition amongst others must include the requirement of depositing the passport of the

petitioner in the Registry of this Court as a condition precedent for release of the petitioner.

List this matter along with Special Leave Petition (Cr1.) Nos. 618/2020, 6456/2020 and 140/2020 and remaining batch of cases [SLP(Cr1.) No.4634/2014 and connected cases] on 10.11.2021.

SLP(Cr1) Nos. 618/2020 and 140/2020

List these matters along with SLP(Cr1.) No.4634/2014 and connected cases on 10.11.2021.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

*Appearance not received.