

ITEM NO.1

COURT NO.6

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6821/2017

(Arising out of impugned final judgment and order dated 14-07-2017 in MCRCA No. 358/2017 passed by the High Court Of Chhatisgarh At Bilaspur)

SHIV KUMAR @ JAWAHAR SARAF

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH

Respondent(s)

(FOR ADMISSION and I.R.)

WITH

Diary No(s). 30334/2017 (II-C)

(FOR CONDONATION OF DELAY IN REILING ON IA 852/2018
FOR EXEMPTION FROM FILING O.T. ON IA 853/2018)

SLP(Crl) No. 2594/2018 (II-C)
(FOR EXEMPTION FROM FILING O.T. ON IA 41774/2018
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
41775/2018
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 41779/2018)

Date : 11-04-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. P.S. Patwalia, Sr. Adv.
Mr. Santosh Kumar, Adv.
Mr. Arun Goswami, Adv.
Ms. Suparna Basu, Adv.
Mr. Rajiv Ranjan Mishra, Adv.
Mr. V. Sushant Gupta, Adv.
Dr. Kailash Chand, AOR

Mr. Rahul Tyagi, Adv.
Ms. Neha Gupta, Adv.
Mr. Abhinav Dang, Adv.
Mr. Vivek Singh, AOR

For Respondent(s) Mr. Shyam Diwan, Sr. Adv.
Mr. K.V. Vishwanathan, SR. Adv.

Mr. Abhimanyu Bhandari, Adv.
Ms. Madhvi Diwan, Adv.
Mr. Ankur Chawla, Adv.
Mr. Vishal Gupta, Adv.
Mr. Bhanu Sood, Adv.
Mr. Gurpreet Singh, Adv.
Mr. Amir, Adv.
Mr. T. Harish Kumar, AOR

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

SLP(Crl.) No(s). 6821/2017

We have heard the learned counsel for the parties at length. We are of the opinion that the petitioner should be granted interim protection against arrest. Therefore, order dated 15.03.2018 passed by this Court is made absolute. However, we make it clear that the petitioner shall cooperate in the investigation.

The Special Leave Petition is disposed of accordingly.

Pending application(s), if any, stands disposed of accordingly.

SLP(Crl) No. 2594/2018

The Special Leave Petition is dismissed.

Pending application(s), if any, stands disposed of accordingly.

Diary No(s). 30334/2017

Since the petitioner is declared proclaimed absconder we are not inclined to grant anticipatory bail for this reason. The petitioner may surrender before the Trial Court and move an appropriate application for bail as well as for cancellation of

Sections 82 and 83 of the Code of Criminal Procedure, 1973. Once he makes such an application the Trial Court shall decide the same forthwith. It would be open to the petitioner to make all possible submissions which he seeks to make before us.

The Special Leave Petition is dismissed.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)
COURT MASTER (SH)

(ANITA RANI AHUJA)
COURT MASTER