

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 10165/2023

(Arising out of impugned final judgment and order dated 23-09-2022 in CRLMA No. 16022/2022 passed by the High Court of Gujarat at Ahmedabad)

KARSAN HAMIRBHAI CHAIYA

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.56023/2023-CONDONATION OF DELAY IN FILING and IA No.56019/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.56017/2023-EXEMPTION FROM FILING O.T. and IA No.56009/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 27-03-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Purvish Jitendra Malkan, AOR
Ms. Dharita Purvish Malkan, Adv.
Mr. Alok Kumar, Adv.
Ms. Nandini Chhabra, Adv.
Mr. Deepak Mani Tripathi, Adv.
Mr. Jitendra Malkan, Adv.

For Respondent(s)

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

1. Permission to file special leave petition(s) is granted.
2. Delay condoned.
3. Learned counsel for the petitioner does not press this petition and only requests that the learned Trial Judge may be directed not to take into consideration the observations made in the High Court, which have been made while considering application for anticipatory bail.
4. We find that the observations made by the learned Judge of the

High Court were on prima facie consideration. In any case, we are of the view that the learned Judge should have avoided elaborate discussion of the evidence at the stage of grant of anticipatory bail.

5. We, therefore, dispose of this special leave petition with a direction to the learned Trial Judge not to be influenced by the observations made in the impugned order.

6. Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)