

ITEM NO.36

COURT NO.11

SECTION II

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 (Crl.) No(s).2033/2023

(Arising out of impugned final judgment and order dated 29-11-2022 in CRMABA No.6608/2022 passed by the High Court Of Judicature At Allahabad)

RAJBIR SINGH

Petitioner(s)

VERSUS

AARTI BHATELE & ORS.

Respondent(s)

IA No. 22501/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 22500/2023 - EXEMPTION FROM FILING O.T.)

Date : 06-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Dr. Sushil Balwada, AOR

For Respondent(s) Mr. Ravi Prakash Mehrotra, Sr. Adv.

Mr. Abhishek Vikas, AO

Mr. Shivam Sharma, Adv.

Mrs. Deepti R. Mehrotra, Adv.

Mr. Apoorv Srivastava, Adv.

Mr. Saket Singh, Adv.

Mr. Ardhendumauli Kumar Prasad, A.A.G.

Mr. Sarvesh Singh Baghel, AOR

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

1. Heard Dr. Sushil Balwada, learned counsel for the petitioner. Also heard. Mr. Ravi Prakash Mehrotra, learned Senior Counsel for the 1st respondent (accused). The State of Uttar Pradesh is represented by Mr. Ardhendumauli Kumar Prasad, learned Additional Advocate General.

2. While the pre-arrest bail order could have been articulated better by the High Court in the impugned judgment, considering the lag of time, and the fact that chargesheet in the case has already been filed on 22.05.2022 and there is direction to the accused to appear before the Court, we feel that this is not a fit case for invoking our jurisdiction under Article 136 of the Constitution of India. Accordingly, the Special Leave Petition stands dismissed.

3. However, the respondent who has got the benefit of pre-arrest bail must participate in the Court proceedings and should also not conduct herself in any manner which would require the Court to recall the benefit of anticipatory bail order.

4. Pending application(s), if any, stand closed.

(DEEPAK JOSHI)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR