

ITEM NO.15

COURT NO.12

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). 289/2023

(Arising out of impugned final judgment and order dated 16-12-2022 in BA No. 3774/2022 passed by the High Court Of Delhi At New Delhi)

RAHISUL AZAM

Petitioner(s)

VERSUS

STATE (NCT OF DELHI)

Respondent(s)

IA No. 10621/2023 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 4005/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 4004/2023 - EXEMPTION FROM FILING O.T.

IA No. 10619/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 4003/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 29-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Divyesh Pratap Singh, AOR  
Mr. Pratiksha Tripathi, Adv.

For Respondent(s) Mr. Jayant K.sud, A.S.G.  
Mr. Shreekant Neelappa Terdal, AOR  
Ms. Aakanksha Kaul, Adv.  
Mr. Praneet Pranav, Adv.  
Ms. Divya Jyoti Singh, Adv.  
Mr. Madhav Sinhal, Adv.  
Ms. Srishti Mishra, Adv.  
Dr. N. Visakamurthy, Adv.

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

Heard the learned counsel for the petitioner as also Mr. Jayant K. Sud, learned ASG appearing on behalf of the respondent-State(NCT of Delhi) and perused the petition papers.

Though, the learned counsel for the petitioner contends that the petitioner has been in custody for nearly three years, we note that the trial is in progress and three witnesses have already been examined. Among the total witnesses cited, two more witnesses are said to be the material witnesses.

If that be the position, at this stage, we see no reason to interfere. However, we make it clear that the remaining material witnesses be examined before the end of June, 2023. Soon after the examination of the material witnesses, the Trial Court shall consider the request of the petitioner seeking bail on merits and in accordance with law, and release him on bail subject to appropriate conditions to be imposed by the Trial Court.

In terms of the above, the petition stands disposed of.

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

(NISHA KHULBEY)  
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)  
ASSISTANT REGISTRAR