

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). 1476/2019

(Arising out of impugned final judgment and order dated 18-01-2019 in CRLMP No. 244/2019 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

BHARAT CHAUDHARI

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.25856/2019-EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 1960/2023 (II)

IA No. 29509/2023 - EXEMPTION FROM FILING O.T.

IA No. 34550/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 29508/2023 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 07-02-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE

For Petitioner(s) Mr. Siddharth Dave, Sr. Adv.
Mr. Ankur Chawla, Adv.
Ms. Kalyani Lal, Adv.
Mr. Aamir Khan, Adv.
Ms. Pallavi Langar, AOR
Mr. Rahul Pratap, AOR

For Respondent(s) Mrs. Aishwarya Bhati, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Ms. Suhashini Sen, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Noor Rampal, Adv.
Mr. Raman Yadav, Adv.
Ms. Vimla Sinha, Adv.

UPON hearing the counsel the Court made the following

O R D E R

In this case an interim order was granted on 18.02.2019 which

reads as follows:

"Issue notice.

No coercive steps shall be taken, in the meanwhile."

Subsequently on 20.02.2023, another interim order was passed in SLP (Crl.) No.1960/2023 which reads as follows:

"Issue notice to the respondent.

Tag along with SLP(Crl.) Diary No. 5283 of 2019 arising out of SLP(Crl.) No. 1476 of 2019. In the meanwhile, no coercive steps shall be taken against the petitioner."

Therefore, the cases are clubbed together. Ms. Aishwarya Bhati, learned ASG appearing for the respondent has given a statement that pursuant to the said orders, the case is not proceeding before the trial court. We make it clear that although the interim order has been granted, the same be operated only as regards any coercive measure to be taken against the petitioner which primarily means the arrest of the petitioner shall not take place. This Court has not stayed the criminal proceedings at any point of time and we make it clear that criminal proceedings pending before Special Judge, Anti-Corruption, C.B.I., West, Lucknow shall continue and the petitioner shall cooperate in the process.

List on 13.03.2024.

Mr. Rabindra Kumar Bhalotia, appellant in SLP(Crl) No. 1960/2023 would be at liberty to move an appropriate application for appearance through his counsel as provided under Code of Criminal Procedure, as was done earlier.

(KAVITA PAHUJA)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)