



ITEM NO.14

COURT NO.3

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 (CrI.) No(s). 2907/2021

(Arising out of impugned final judgment and order dated 26-03-2021
in BA No. 1097/2021 passed by the High Court of Delhi at New Delhi)

JUDE LOBO

Petitioner(s)

VERSUS

STATE, NCT OF DELHI & ANR.

Respondent(s)

(IA No. 93942/2021 - APPLICATION FOR PERMISSION
IA No. 47747/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 47748/2021 - EXEMPTION FROM FILING O.T.
IA No. 53954/2021 - MODIFICATION OF COURT ORDER
IA No. 93940/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 02-01-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Siddharth Agarwal, Sr. Adv.
Mr. Ninad Laud, Adv.
Mr. Simon Benjamin, Adv.
Mr. Surbhit Nandan, Adv.
Mr. Santosh Krishnan, AOR

For Respondent(s) Mr. Jayant K. Sud, A.S.G.
Mr. Subaharanshu Padhi, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Navanjaya Mahapatra, Adv.

Mr. Ajay Marwah, AOR

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

Heard learned counsel for the parties and perused the materials placed on record.

This Court while issuing notice on 29th March, 2021, passed the following order:

"Heard Shri Mukul Rohatgi, learned senior counsel appearing for the petitioner.

The petitioner is an accused in FIR No.716/2020 under Sections 328, 376 and 506 of Indian Penal Code registered at Police Station Bhajanpura, Delhi. An application for anticipatory bail was filed before the learned ASJ-02(N/E), Karkardooma Courts, Delhi. By order dated 27.02.2021, interim protection was granted to the petitioner that he shall not be arrested. Subsequently, on 22.03.2021 learned Special Judge (NDPS)/ASJ, North East, Delhi dismissed the anticipatory bail application. Then, petitioner filed an application for anticipatory bail in the High Court, which was rejected by the impugned order dated 26.03.2021. Being aggrieved, this special leave petition has been filed.

We have perused the first information report as well as the statement recorded by the prosecutrix under Section 164 Cr.P.C.

Shri Mukul Rohatgi, learned senior counsel has referred to WhatsApp chat between the petitioner and prosecutrix of December 2020 which has been brought on the record from page 47 to page 54 of the paper book.

We are satisfied that the petitioner has made out a prima facie case for grant of anticipatory bail. We direct that in event the petitioner is arrested, he shall be released on submitting a personal bond of Rs.10,000/- (Rupees Ten Thousand only). The petitioner shall cooperate with the investigation.

The petitioner is permitted to implead the complainant as respondent no.2. Amended memo be filed today itself.

Issue notice."

Having regard to the submissions of the learned counsel for the parties and in the facts and circumstances of the case, interim order dated 29th March, 2021 is made absolute.

The Special Leave Petition is accordingly disposed of.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(KAMLESH RAWAT)
COURT MASTER