

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). 4299/2024

(Arising out of impugned final judgment and order dated 08-01-2024 in WP(CRL) No. 72/2024 passed by the High Court of Delhi at New Delhi)

JITENDER @ KALLA

Petitioner(s)

VERSUS

STATE (GOVT.) OF NCT OF DELHI & ANR.

Respondent(s)

Date : 02-09-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. L N Rao, Adv.
Mr. Aryan Rajpal, Adv.
Mr. Shubham, Adv.
Mr. Laxman Rohilla, Adv.
Mr. Ashish Pandey, AOR

For Respondent(s) Mr. Mukesh Kumar Maroria, AOR

Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, AOR
Mr. Jatin Bhardwaj, Adv.
Ms. Neha Rathi, Adv.
Mr. Abhay Nair, Adv.

Mr. Ahanthem Henry, Adv.
Mr. Ahanthem Rohen Singh, Adv.
Mr. Mohan Singh, Adv.
Mr. Aniket Rajput, Adv.
Ms. Khoisnam Nirmala Devi, Adv.
Mr. Kumar Mihir, AOR

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

We have perused the Special Leave Petition and the annexures to the Application for Intervention.

The Trial Court convicted the petitioner and sentenced him to

undergo actual sentence of 30 years. The High Court interfered with the said order. Thereafter, this Court by a decision in *Jitendra Alias Kalla vs. State (Government of NCT of Delhi)*¹ restored the judgment of the Trial Court by specifically observing that the petitioner will undergo life sentence for 30 years without remission. These facts were suppressed while filing this Special Leave Petition. Moreover, the petitioner was not a party to the petition before the Delhi High Court on which the impugned order was passed. In the synopsis, there is a specific reference to an order of conviction. However, it is not disclosed that the order of sentence was for a fixed term of 30 years. Therefore, this is a very serious and gross case of material misrepresentation made while filing the Special Leave Petition. The Advocate-on-Record for the petitioner, who filed this Special Leave Petition, owes an explanation to this Court. Therefore, the Registry to issue notice to Shri Jaydip Pati, Advocate-on-Record, which is made returnable on 30th September, 2024.

A copy of this order shall accompany the notice.

Shri Jaydip Pati, Advocate-on-Record, will explain his conduct by filing an affidavit.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

1 (2019) 13 SCC 691