

ITEM NO.22

COURT NO.15

SECTION II-A

**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 (Cr1.) No(s). 3452/2020

(Arising out of impugned final judgment and order dated 26-03-2020 in CRLA(ABA) No. 106/2020 passed by the High Court Of Judicature At Bombay At Nagpur)

HEMANT ZAVERI

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.69654/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.69655/2020-EXEMPTION FROM FILING O.T. and IA No.69658/2020-APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT

IA No. 69658/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT

IA No. 78865/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 69654/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 69655/2020 - EXEMPTION FROM FILING O.T.

IA No. 111962/2022 - INTERVENTION/IMPLEADMENT)

WITH

SLP(Cr1) No. 162/2022

(IA No. 3270/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

(IA No. 3271/2022 - EXEMPTION FROM FILING O.T.)

Date : 28-09-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

Mr. Udit Gupta, Adv.

Mr. Anup Jain, Adv.

Mr. Akshay Goel, Adv.

Ms. Prachi Gupta, Adv.

Mr. Vyom Chaturvedi, Adv.

M/S. Udit Kishan And Associates, AOR

For Respondent(s)

Mr. Rahul Chitnis, Adv.

Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bhagla, Adv.

Ms. Sakshi Kakkar, AOR

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

1. Application (IA No. 111962/2022) seeking permission to implead the applicants as respondents in the proceedings is allowed.
2. The petitioner has filed the instant application seeking grant of anticipatory bail.
3. This Court, at the first instance, while directing notice to the respondent-State of Maharashtra on 15.04.2020, had granted interim protection to the petitioner. The respondent-State of Maharashtra, on being served, have filed its objection statement(s).
4. Though, the respondent-State of Maharashtra have referred to the nature of the allegations made against the petitioner and, in that light, the investigation and the prosecution is to be taken against the petitioner, we note that the petitioner has enjoyed the benefit of the interim protection granted to him for nearly two and a half years and except for a general statement that the petitioner has not participated in the investigation, no specific instance in that regard has been brought out.
5. Therefore, keeping in view the fact that the petitioner

had been granted the benefit of the interim protection vide this Court's Order dated 15.04.2022, the same is to be continued.

6. Hence, the Order dated 15.04.2020 is made absolute.

7. The petitioner shall however respond to the notices, if any, issued by the investigating agencies/ authorities and take part in the investigation/ trial diligently.

8. If for any reason, the petitioner does not participate in the process of investigation/ trial, it would be open for the respondent-State of Maharashtra to seek for cancellation of the Order passed by this Court granting interim protection to the petitioner. The petitioner shall also comply with the requirements of the Section 438 (2) of the Code of Criminal Procedure (Cr.P.C.), 1973.

9. The petitions are disposed of in aforestated terms.

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

(NISHA KHULBEY)  
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)  
ASSISTANT REGISTRAR