

ITEM NO.21

Virtual Court 6

SECTION II-A

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

Miscellaneous Application No(s).1181/2020 in SLP (Cr1.)No.2739/2020

SANDEEP SUNIL KUMAR LAHORIYA

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

(IA No. 57737/2020 - MODIFICATION)

Date : 09-07-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Devadatt Kamat, Sr. Adv.
Mr. Vinod R Gupta, Adv
Mr. Nishanth Patil, AOR
Ms. Sneha Ravi Iyer, Adv
Mr. Aditya Bhat, Adv

For Respondent(s)/ Applicant(s) Mr. Vinay Navare, Sr. Adv.
Mr. Gwen Karthika, Adv.
Mr. Himanshu kode, Adv
Mr. Satyajeet Kumar, AOR

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

The Special Leave Petition (Cr1.)
No.2739/2020 was filed against the order dated
24.02.2020 in writ petition No. 539 of 2020. By the
order dated 24.02.2020, the High Court stayed further
proceedings in Sessions case No.281 of 2013 till the
next date of hearing and listed the matter on 5.3.2020.

We were not inclined to interfere with the said order of the High Court and dismissed the SLP on 19.06.2020, accordingly. However, we certified in the said order that the stay of further proceedings in Sessions Case No.281 of 2013 shall not preclude the trial Court from hearing the bail application filed by the petitioner.

Respondent No.2, the complainant has filed Miscellaneous Application No.1181 of 2020 for modification of the order passed by us on 19.06.2020.

Without adverting to the submissions made by the learned senior counsel appearing for respondent No.2 stating the reasons for modification, we are of the opinion that the order dated 19.6.2020 needs a clarification.

In view of the pendency of the Writ Petition before the High Court, instead of the petitioner approaching the trial Court by filing a bail application,, we give him liberty to file the bail application in the High Court of Bombay. The bail application may be decided expeditiously.

Miscellaneous Application is, accordingly, disposed of.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master