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(Revised)

ITEM NO.3

COURT NO.6 SECTION X
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 31/2017

VIHAAN DIRECT SELLING (I) PVT LTD & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS

Respondent(s)

(with appln. (s) for exemption from filing O.T. and office report)

Date : 27/03/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Dushyant Dave, Sr. Adv.

Mr. Aman Vachher, Adv.

Mr. Sajid Mohamed, Adv.

Mr. Dhiraj, Adv.

Mr. Ashutosh Dubey, Adv.

Mrs. Anshu Vachher, Adv.

Mr. Abhishek Chauhan, Adv.

Mr. P. N. Puri, AOR

For Respondent(s) Mr. S.K. Gupta, Adv.

Ms. Ranjeeta Rohatgi, Adv.

Mr. Saurabh Kirpal, Adv.

Mr. B.K. Prasad, Adv.

Mr. Raj Bahadur, Adv.

Mr. S.N. Terdal, Adv.

Ms. Deepa Kulkarni, Adv.

Mr. Nishant R. Katneshwarkar, AOR

Mr. Joseph Aristotle S., Adv.

Mrs. Priya Aristotle, Adv.

Ms. K. Priyadarshini, Adv.

Mr. Ashish Yadav, Adv.

Ms. Romsha Raj, AOR

Ms. Nandini Sen, Adv.

Mr. C.K. Ganguli, Adv.

Mr. S. Udaya Kumar Sagar, Adv.

Mr. Mrityunjai Singh, Adv.

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UPON hearing the counsel the Court made the following

O R D E R

We have heard the learned Senior Counsel/Counsel appearing for the parties.

Exemption allowed.

For the grounds stated in the Writ Petition, there shall be stay of further proceedings in all the 20 FIRs in terms of prayer at Clause (c) of the petition pending hearing and final disposal. Having regard to the fact that the petitioner Nos. 2 and 3 before us viz., Michael Joseph Ferriera and Malckolm Nozer Desai are detained in jail custody for about 6 months, they are directed to be released on bail, subject to the following conditions:

1) The petitioners shall furnish bail bonds in the sum of Rs. 25,000/- (Twenty Five Thousands only) each with two sureties of the like amount to the satisfaction of the concerned trial Court.

2) The petitioners shall get their presence marked before the concerned officer-in-charge/S.H.O. of the Police Station once in a month;

3) The petitioners would produce their latest and full residential addresses in the concerned Trial Court/Police Station while obtaining bail and they shall not change their addresses without the prior permission of the Court.

4) If the petitioners are holding passport, they shall deposit the same in the concerned trial Court and if not, they should produce affidavit in that regard.

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5) The petitioners are directed to cooperate with the investigation of the case.
In the event of necessity of any further condition(s), depending on the attendant facts and circumstances, it would be open for the concerned trial Court to prescribe the same.
In case of any breach of the conditions, this Court, on being informed thereof, would, if inclined, initiate suo motu steps for cancellation of the bail, which is hereby granted.
(R. NATARAJAN) (SNEH LATA SHARMA)
Court Master Court Master

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ITEM NO.3 COURT NO.6 SECTION X
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 31/2017
VIHAAN DIRECT SELLING (I) PVT LTD & ORS. Petitioner(s)
VERSUS

UNION OF INDIA AND ORS Respondent(s)
(with appln. (s) for exemption from filing O.T. and office report)
Date : 27/03/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Dushyant Dave, Sr. Adv.
Mr. Aman Vachher, Adv.
Mr. Sajid Mohamed, Adv.
Mr. Dhiraj, Adv.
Mr. Ashutosh Dubey, Adv.
Mrs. Anshu Vachher, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. P. N. Puri, AOR

For Respondent(s) Mr. S.K. Gupta, Adv.
Ms. Ranjeeta Rohatgi, Adv.
Mr. Saurabh Kirpal, Adv.
Mr. B.K. Prasad, Adv.
Mr. Raj Bahadur, Adv.
Mr. S.N. Terdal, Adv.

Ms. Deepa Kulkarni, Adv.
Mr. Nishant R. Katneshwarkar, AOR
Mr. Joseph Aristotle S., Adv.
Mrs. Priya Aristotle, Adv.
Ms. K. Priyadarshini, Adv.
Mr. Ashish Yadav, Adv.
Ms. Romsha Raj, AOR
Ms. Nandini Sen, Adv.
Mr. C.K. Ganguli, Adv.
Mr. S. Udaya Kumar Sagar, Adv.
Mr. Mrityunjai Singh, Adv.

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

We have heard the learned Senior Counsel/Counsel appearing for the parties.

Exemption allowed.

For the grounds stated in the Writ Petition, there shall be stay of further proceedings in all the 19 FIRs in terms of prayer at Clause (c) of the petition pending hearing and final disposal. Having regard to the fact that the petitioner Nos. 2 and 3 before us viz., Michael Joseph Ferriera and Malckolm Nozer Desai are detained in jail custody for about 6 months, they are directed to be released on bail, subject to the following conditions:

1) The petitioners shall furnish bail bonds in the sum of Rs. 25,000/- (Twenty Five Thousands only) each with two

sureties of the like amount to the satisfaction of the concerned trial Court.

2) The petitioners shall get their presence marked before the concerned officer-in-charge/S.H.O. of the Police Station once in a month;

3) The petitioners would produce their latest and full residential addresses in the concerned Trial Court/Police Station while obtaining bail and they shall not change their addresses without the prior permission of the Court.

4) If the petitioners are holding passport, they shall deposit the same in the concerned trial Court and if not, they should produce affidavit in that regard.

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5) The petitioners are directed to cooperate with the investigation of the case.

In the event of necessity of any further condition(s), depending on the attendant facts and circumstances, it would be open for the concerned trial Court to prescribe the same.

In case of any breach of the conditions, this Court, on being informed thereof, would, if inclined, initiate suo motu steps for cancellation of the bail, which is hereby granted.

(R. NATARAJAN) (SNEH LATA SHARMA)

Court Master Court Master