

(REVISED)

ITEM NO.5

COURT NO.5

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. 31/2017

VIHAAN DIRECT SELLING (I) PVT. LTD. & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With IA 52329/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 21314/2019 - APPROPRIATE ORDERS/DIRECTIONS)

(List WP (Cr1.) No. 304 of 2018 and WP(Cr1.) NO. 33 of 2019 on 03.04.2019 as Item No. 1.)

W.P.(Cr1.) No. 304/2018 (X)

(With I.A. No. 180487/2018 - FOR EX-PARTE AD-INTERIM STAY and I.A. No. 180498/2018 - FOR AD-INTERIM EX-PARTE BAIL)

W.P.(Cr1.) No. 33/2019 (X)

(With I.A. No. 22248/2019 - FOR EX-PARTE BAIL and I.A. No. 22251/2019 - FOR EX-PARTE STAY)

Date : 03-04-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s)	Mr. Krishnan Venugopal, Sr. Adv.
	Mr. V. Giri, Sr. Adv.
	Mr. Khalid Israr, Sr. Adv.
	Mr. Gaurav Agarwal, Adv.
	Mr. Deepak Prakash, AOR
	Ms. Mansi Joshi, Adv.
	Mr. Subhash Choudhary, Adv.
	Mr. Raneev Dahiya, Adv.
	Mr. Shashank Menon, Adv.
	Mr. Dawneesh Shaktivats, Adv.
	Ms. Sree Devi, Adv.
	Mr. Nachiketa Vajpayee, Adv.
	Ms. Divyangna Malik, Adv.

For Respondent(s)

Mr. Nishant Ramakantrao Katneshwarkar, AOR

Mr. S. Udaya Kumar Sagar, AOR
Mr. Mrityunjai Singh, Adv.

Mr. Joseph Aristotle S., AOR
Ms. Priya Aristotle, Adv.
Mr. Shiva P., Adv.

Mr. Shree Pal Singh, AOR

Mr. Suhaan Mukerji, Adv.
Ms. Astha Sharma, Adv.
Mr. Amit Verma, Adv.
Mr. Abhishek Manchanda, Adv.
M/s. PLR Chambers and Co., AOR

Mr. Chirag M. Shroff, AOR
Ms. Noha Sahgwan, Adv.
Ms. Mahima C. Shroff, Adv.

Mr. Siddharth Mittal, AOR

Mr. Maninder Singh, Sr. Adv.
Mr. Viresh B. Saharya, AOR
Mr. Akshat Agarwal, Adv.
Mr. Dinhar, Adv.

Ms. Kamakshi S. Mehlwal, AOR

Mr. Nischal Kumar Neeraj, AOR

Mr. Manoj Gorkela, Adv.
Mr. Abhinav Singh, Adv.
Mr. Arpit Bisht, Adv.
Ms. Simmee Pandey, Adv.
M/S. Gorkela Law Office, AOR

Mr. Rajat Singh, AOR

Ms. V. Mohana, Sr. Adv.
Mr. Pranay Ranjan, Adv.
Mr. Shailendra Saini, Adv.
Ms. Nikita Copoor, Adv.
Ms. Ankita Sharma, Adv.
Mr. Surender Kumar Gupta, Adv.
Ms. Suhasini Sen, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mr. Prashant Rawat, Adv.

Mrs. Anil Katiyar, AOR
Mr. B. V. Balaram Das, AOR

Ms. Binu Tamta, Adv.
Ms. Nisha Bagchi, Adv.
Mr. P. Srivastava, Adv.
Mr. B. Krishna Prasad, AOR

Mr. Devansh A. Mohta, Adv.

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

I.A. No. 180498/2018 in W.P.(CrI.) No. 304/2018

The petitioner be released on bail forthwith, to the satisfaction of the trial Court, on furnishing a personal bond of Rs.1 lakh and one surety of the like amount. A sum of Rs.10 crores will be deposited in the Registry of this Court within a period of six months from today which amount shall be kept in an interest bearing short term fixed deposit of a nationalised Bank.

The conditions for grant of bail, *inter alia*, on considering the latest medical report from AIIMS, Delhi, are as follows: -

- (1) That the accused shall not commit any offence similar to the offence of which he is accused;
- (2) That the accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer or tamper with the

evidence;

- (3) That the accused shall join further investigation as and when required by the Investigating Officer or by the Enforcement Directorate;
- (4) That the accused will deposit his passport with the Registry of this Court within a period of one week from today. If it is with the Pune Police, Cyber Cell, they shall deposit the aforesaid passport with the Registry of this Court within the aforestated period;
- (5) That the accused shall not in any manner use any digital wallet in his name or in any of his associates' name or do any trading in mining to misappropriate BITCOIN in any manner whatsoever.
- (6) That the accused will report on every Monday of a week to the Police Station H-732, Gyan Shakti Mandir Marg, Block B-H, West Shalimar Bagh, Delhi - 110088.

The interlocutory application stands disposed of.

I.A. No. 22248/2019 in W.P.(CrI.) No. 33/2019

The petitioner be released on bail forthwith to the satisfaction of the trial Court, on furnishing a personal bond of Rs.1 lakh and one surety of the like amount. A sum of Rs.1 crore will be deposited in the Registry of this Court within a period of six months from today which amount

shall be kept in an interest bearing short term fixed deposit of a nationalised Bank.

The conditions for grant of bail are as follows: -

- (1) That the accused shall not commit any offence similar to the offence of which he is accused;
- (2) That the accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer or tamper with the evidence;
- (3) That the accused shall join further investigation as and when required by the Investigating Officer or by the Enforcement Directorate;
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W.P.(Cr1.) No. 304/2018 etc.

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The interlocutory application stands disposed of.

(NIDHI AHUJA)
COURT MASTER (SH)

(RENU DIWAN)
ASSISTANT REGISTRAR

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

I.A. No. 180498/2018 in W.P.(CrI.) No. 304/2018

The petitioner be released on bail forthwith subject to his depositing a sum of Rs.10 crores in the Registry of this Court within a period of six months from today.

The conditions for grant of bail, *inter alia*, on considering the latest medical report from AIIMS, Delhi, are as follows: -

- (1) That the accused shall not commit any offence similar to the offence of which he is accused;
- (2) That the accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer or tamper with the evidence;
- (3) That the accused shall join further investigation as and when required by the Investigating Officer or by the Enforcement Directorate;
- (4) That the accused will deposit his passport with the Registry of this Court within a period of one week from today. If it is with the Pune Police, Cyber

Cell, they shall deposit the aforesaid passport with the Registry of this Court within the aforesaid period;

- (5) That the accused shall not in any manner use any digital wallet in his name or in any of his associates' name or do any trading in mining to misappropriate BITCOIN in any manner whatsoever.
- (6) That the accused will report on every Monday of a week to the Police Station H-732, Gyan Shakti Mandir Marg, Block B-H, West Shalimar Bagh, Delhi - 110088.

The interlocutory application stands disposed of.

I.A. No. 22248/2019 in W.P.(CrI.) No. 33/2019

The petitioner be released on bail forthwith subject to his depositing a sum of Rs.1 crore in the Registry of this Court within a period of six months from today.

The conditions for grant of bail are as follows: -

- (1) That the accused shall not commit any offence similar to the offence of which he is accused;
- (2) That the accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer or tamper with the evidence;

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