

ITEM NO.26

Court 4 (Video Conferencing)

SECTION II

**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.5465/2021**

**(Arising out of impugned final judgment and order dated 08-06-2021 in SBCRMBCA No.21/2020 passed by the High Court of Judicature for Rajasthan at Jaipur)**

**HARIRAM BHAMBHI**

**Petitioner(s)**

**VERSUS**

**SATYANARAYAN & ANR.**

**Respondent(s)**

**(With appln.(s) for I.R. and IA No.89658/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.89659/2021-EXEMPTION FROM FILING O.T.)**

**Date : 16-08-2021 This petition was called on for hearing today.**

**CORAM :**

**HON'BLE DR. JUSTICE D.Y. CHANDRACHUD**  
**HON'BLE MR. JUSTICE M.R. SHAH**

**For Petitioner(s)**

**Mr. Ajit Kumar Thakur, Adv.**  
**Mr. Ram Nath, Adv.**  
**Mr. Ashok Kumar Vashishtha, Adv.**  
**Mr. Sandiv Kalia, Adv.**  
**Ms. Reena Rao, Adv, .**  
**Mr. Nand Ram, Adv.**  
**Dr. Sushil Balwada, AOR**

**For Respondent(s)**

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

- 1 Mr Ajit Kumar Thakur, learned counsel appearing on behalf of the petitioner submits that:
  - (i) The petitioner, who is the original complainant, was required to be heard at the stage of considering the application for the grant of bail under the SC/ST Act; and
  - (ii) When the petitioner drew this fact to the attention of the court subsequently, the High Court observed that since the petitioner was being heard before it on his application, the failure to hear the petitioner before the grant of bail was of no significance.
- 2 Issue notice, returnable in six weeks.
- 3 The respondent-accused shall be served through the concerned SHO.
- 4 Liberty to serve the Standing Counsel for the State of Rajasthan, in addition.

**(CHETAN KUMAR)**  
**A.R. -cum-P.S.**

**(ANITA RANI AHUJA)**  
**ASSISTANT REGISTRAR**