

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

Writ Petition(s)(Criminal) No(s). 149/2019

PANKAJ MARU & ORS.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL

Respondent(s)

Date : 20-05-2019 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE SANJIV KHANNA
[VACATION BENCH]For Petitioner(s) Mr. Siddharth Dave, Sr. Adv.
Mr. Ankur S. Kulkarni, Adv.
Mr. Anand Srivastava, Adv.
Ms. Richa Bharadwaj, Adv.
For M/S. Lex Regis Law Offices

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

This writ petition has been filed seeking a writ of Mandamus directing the release of the petitioners on interim bail in connection with their arrest in relation to FIR Case No. 158/2019 under Sections 3 and 4 of the West Bengal Gambling and Prize Competition Act, 1957.

According to the petitioners, they were arrested by a police team on 23rd April, 2019 on the ground of being involved in the IPL betting after which they were remanded to 14 days' judicial custody which were twice extended. The Chief Judicial Magistrate rejected the bail on 26th April, 2019. It is submitted that in view of the resolution taken by the Bar Council of West Bengal, the petitioners

are without remedy, as advocates all over the State have struck work completely.

The petitioners shall be produced before the High Court on 22nd May, 2019 for necessary orders for bail. It is, however, made clear that this order is not to be construed as any observation with regard to entitlement of the petitioners to bail.

The writ petition is accordingly disposed of. This order is passed in the special facts and circumstances of the case having regard to the extraordinary situation which has arisen in the State of West Bengal by reason of the call for cessation of work given by the Bar Council of West Bengal on 29th April, 2019 and its consequences and its impact on the fundamental right of citizen under Article 21 of the Constitution. This order may not be treated as a precedent.

(MEENAKSHI KOHLI)
COURT MASTER

(RAJ RANI NEGI)
ASSISTANT REGISTRAR