

ITEM NO.822

COURT NO.4

SECTION X

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(CRIMINAL) Diary No(s). 19284/2019

ARJUN SINGH

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

Date : 22-05-2019 This petition was mentioned today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE M.R. SHAH  
(VACATION BENCH)

For Petitioner(s) Mr. Ranjit Kumar, Sr. Adv. (Mentioned by)  
Mr. Sanjay Rastogi, Adv.  
Mr. Aman Rastogi, Adv.  
Mr. Rishi Raj Sharma, Adv.

For Respondent(s) Ms. Astha Sharma, Adv.  
Mr. Suhaan Mukerji, Adv.  
Mr. Prastut Dalvi, Adv.  
Ms. Kajal Dalal, Adv.

UPON being mentioned by counsel the Court made the following  
O R D E R

We need not retain this petition here. The petitioner is a candidate from Barrackpore Parliamentary Constituency. He has contested the election for which counting is proposed to be held tomorrow i.e. on 23.05.2019. It is submitted that there is a strike of the lawyers going on in the entire State of West Bengal from 25.04.2019. The courts are thus paralysed. In quick succession, eleven cases have been registered against the petitioner in the month of May, 2019 only. It was pointed out by the learned counsel appearing on behalf of the State that the petitioner has other cases also, the declaration of which he has given to the Election Commission in the nomination form. In

those cases, the petitioner is on bail. He has been granted bail in five more cases which have been registered after filing of the nomination.

The learned senior counsel appearing for the petitioner has prayed that the petitioner may be permitted to attend the counting as the lawyers are not permitting the courts to be functional. He will apply for bail before the appropriate court(s) in accordance with law. The learned senior counsel has prayed for a week's protection. In order to attend the counting and to file the bail application in appropriate court(s), we consider it necessary to grant insulation for some time to the petitioner as the lawyers are on strike.

In the above circumstances, we grant the insulation to the petitioner that no coercive action shall be taken against the petitioner in the cases which have been registered against him so far and in which his arrest is required. No arrest shall be made in the cases filed against him for the period commencing from today i.e. from 22.05.2019 till 28.05.2019. Thereafter, the insulation granted by this Court shall cease to operate and it would be open to the State Government to take steps against the petitioner in accordance with law unless he is released on bail by the appropriate forum.

In view of the above, the petition is disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(JAGDISH CHANDER)  
BRANCH OFFICER