

ITEM NO.9 Court 3 (Video Conferencing) SECTION II-B

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 (Cr1.) No(s).5693/2020

(Arising out of impugned final judgment and order dated 02-11-2020 in BA No. 6981/2020 passed by the High Court of Kerala at Ernakulam)

GAZAL & ANR.

Petitioner(s)

VERSUS

THE STATE OF KERALA & ANR.

Respondent(s)

(WITH IA No. 117629/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 120402/2020 - EXEMPTION FROM FILING O.T., IA No. 117630/2020 - EXEMPTION FROM FILING O.T., IA No. 120425/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 120401/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 03-12-2020 This petition was called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA (NOT PARTICIPATED)
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Haris Beeran, Adv.
Mr. Radha Shyam Jena, AOR

For Respondent(s) Mr. V. Chitambaresh, Sr. Adv.
Mr. Harshad V. Hameed, AOR
Mr. Govind Venugopal, Adv.
Mr. Dileep Poolakkot, Adv.

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

- 1 We heard Ms Meenakshi Arora, learned Senior Counsel on 27 November 2020 and we have heard Mr Haris Beeran, learned counsel appearing on behalf of the petitioners, today.
- 2 Insofar as the first petitioner is concerned, while we are not inclined to entertain the Special Leave Petition under Article 136 of the Constitution, we grant four

weeks' time for surrendering and applying for regular bail before the competent court. The application for bail shall be considered expeditiously, preferably on the same day.

3 Mr Haris Beeran states that the first petitioner will surrender before the Magistrate on 16 December 2020.

4 Since the complainant is present before this Court through Mr V Chitambaresh, learned Senior Counsel appearing with Mr Harshad V Hameed, learned Counsel, it has been agreed that no further notice need be given of the application for bail which shall be considered on 16 December 2020, to the second respondent.

5 The Special Leave Petition is disposed of in the above terms qua the first petitioner.

6 As regards the second petitioner, issue notice, returnable on 17 December 2020.

7 Liberty to serve the Standing Counsel for the State of Kerala, in addition.

8 Mr V Chitambaresh, learned Senior Counsel appearing with Mr Harshad V Hameed, learned counsel, appears on behalf of the second respondent on caveat.

9 Till the next date of listing, there shall be a stay of the arrest of the second petitioner in connection with FIR No 908 of 2020 dated 27 August 2020 registered at Police Station North Paravur, District Ernakulam Rural, Kerala.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER