

ITEM NO.3

COURT NO.9

SECTION II-B

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6422/2017

(Arising out of impugned final judgment and order dated 17-08-2017 in CRMM No. 9054/2017 passed by the High Court Of Punjab & Haryana At Chandigarh)

H.L. KATHURIA AND ORS

Petitioner(s)

VERSUS

STATE OF HARYANA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.81127/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 07-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

Mr. Mukul Rohatgi, Sr.Adv.

Mr. R. Basant, Sr.Adv.

Mr. Giriraj Subramaniam, Adv.

Mr. Pashupathi Nath Razdan, AOR

Mr. Vijay Verma, Adv.

Mr. T.N. Razdan, Adv.

Mr. Mirza Kayesh Begg, Adv.

For Respondent(s)/
Caveator

Mr. M. Karpaga Vinayagam, Sr.Adv.

Mr. Syed Mehbood, Adv.

Ms. Priya Kashyap, Adv.

Mr. G.D. Ahmed, Adv.

Mr. Sudhir Mendiratta, AOR

Ms. Meena Chaudhary Sharma, Adv.

Mr. Hiren R.K. Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

This petition has been filed against the order dated 17.8.2017 passed by the High Court of Punjab and Haryana at Chandigarh in

CRM.M.No. 9054 of 2017, whereby the High Court rejected the prayer of the petitioners for granting anticipatory bail.

We have heard Mr. Mukul Rohatgi, learned senior counsel appearing on behalf of the petitioners as well as Mr. M. Karpaga Vinayagam, learned senior counsel appearing on behalf of the complainant-respondent/caveator.

On perusal of the impugned order passed by the High Court, it appears that the High Court has directed the petitioners to deposit the entire amount of Rs.4,00,00,000/- (Rupees Four Crores only), which is the subject matter of the dispute, pending in the Civil Court. Since the petitioners have not deposited the aforesaid amount, the High Court rejected the application filed by the petitioners for anticipatory bail.

Mr. Mukul Rohatgi, learned senior counsel submits that, now, the petitioners are willing to deposit the amount of Rs.4,00,00,000/- (Rupees Four Crores only), as directed by the High Court.

Though we are not inclined to go into the merits of the case, but in view of the statement made by Mr. Mukul Rohatgi, learned senior counsel that the petitioners are willing to deposit the money, as directed by the High Court, we grant some time to the petitioners to deposit the aforesaid amount.

In the circumstances, without keeping the matter pending before this Court, we direct the petitioners to deposit Rs.2,00,00,000/- (Rupees Two Crores only) within a period of two weeks' from today and rest of the amount of Rs.2,00,00,000/- (Rupees Two Crores only) within two weeks' thereafter, before the

High Court of Punjab and Haryana. On such deposit, the petitioners are at liberty to move the High Court by way of an application for anticipatory bail. The High Court is requested to consider the anticipatory bail application of the petitioners and dispose of the same expeditiously.

In the meanwhile, interim protection is granted to the petitioners for a period of four weeks' from today.

The special leave petition is disposed of with the above directions.

(SUKHBIR PAUL KAUR)
AR CUM PS

(S. SIVARAMAKRISHNA)
ASST. REGISTRAR