

ITEM NO.50

COURT NO.7

SECTION II-C

**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(s). 7523/2019  
 (Arising out of impugned final judgment and order dated 20-08-2019  
 in BAIL APPLICATION No. 1713/2018 passed by the High Court Of Delhi  
 At New Delhi)

P. CHIDAMBARAM

Petitioner(s)

VERSUS

DIRECTORATE OF ENFORCEMENT Respondent(s)  
 (FOR ADMISSION and I.R. and IA No.126394/2019-EXEMPTION FROM FILING  
 C/C OF THE IMPUGNED JUDGMENT )

WITH  
SLP(Crl) No. 7525/2019 (II-C)

P. CHIDAMBARAM

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION Respondent(s)  
 (FOR ADMISSION and I.R. and IA No.126403/2019-EXEMPTION FROM FILING  
 C/C OF THE IMPUGNED JUDGMENT)

Date : 26-08-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
 HON'BLE MR. JUSTICE A.S. BOPANNA

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For Petitioner(s) | Mr. Kapil Sibal, Sr. Adv.<br>Dr. A.M. Singhvi, Sr. Adv.<br>Mr. Salman Khurshid, Sr. Adv.<br>Mr. Vivek Tankha, Sr. Adv.<br>Mr. Kunal Vajani, Adv.<br>Mr. Arshdeep Singh Khurana, Adv.<br>Mr. Amit Bhandari, Adv.<br>Mr. Adit Pujari, Adv.<br>Mr. Varun K. Chopra, Adv.<br>Mr. Hitesh Rai, Adv.<br>Mr. Akshat Gupta, Adv.<br>Mr. Ayush Agarwal, Adv.<br>Mr. Karan Gogna, Adv.<br>Mr. Aman Singh Brar, Adv.<br>Mr. Akshay Sahni, Adv.<br>Mr. Raghav Tankha, Adv.<br>Mrs. Shally Bhasin, AOR |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

For Respondent(s)    Mr. Tushar Mehta, SG  
                                  Mr. K.M. Natraj, ASG  
                                  Ms. Sonia Mathur, Sr. Adv.  
                                  Mr. Amit Mahajan, Adv.  
                                  Mr. Rajat Nair, Adv.  
                                  Mr. Manan Popli, Adv.  
                                  Mr. Rajiv Ranjan, Adv.  
                                  Mr. Zoheb Hossain, Adv.  
                                  Mr. Kanu Aggarwal, Adv.  
                                  Mr. B.K. Prasad, Adv.  
                                  Mr. Arvind Kumar Sharma, AOR

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

SLP(Cr1.)No.7525 of 2019:

In this petition, the petitioner has challenged the order of the High Court dated 20.08.2019 in and by which the High Court has declined to grant anticipatory bail in CBI No. RC220-2017-E-0011 registered under Section 120-B IPC & Section 420 IPC and Sections 8, 13(2) read with Section 13(1)(d) of the Prevention of Corruption act, 1988.

It is submitted by the learned senior counsel for the petitioner that after dismissal of the petition for anticipatory bail by the High Court, the petitioner has approached the Supreme Court challenging the said order. The grievance of the petitioner is that an opportunity of hearing has not been given to the petitioner in spite of direction dated 21st August, 2019 for early hearing. It is stated that subsequently, the petitioner has been arrested on 21st August, 2019. Since the petitioner has been arrested, in view of the judgment of the Constitution Bench reported in 1980 (2) SCC 565 Shri Gurbaksh Singh Sibbia & Others vs. State of Punjab, we find that this special leave petition has

become infructuous. The special leave petition is, accordingly, dismissed as having become infructuous.

The petitioner is at liberty to work out his remedy in accordance with law. The contentions raised by both the parties are left open to be considered at the appropriate stage.

Pending application(s), if any, shall also stand disposed of.

SLP(Cr1.)No. 7523 of 2019:

We have heard the arguments of Mr. Kapil Sibal, learned senior counsel appearing on behalf of the petitioner, in full.

Learned counsel appearing on behalf of the respondent-Directorate of Enforcement has filed the counter affidavit.

Learned counsel for the petitioner requests time till tomorrow to file response to the counter affidavit. Learned counsel may do so by tomorrow i.e. 27th August, 2019 before the hearing commences.

For hearing respondent-Directorate of Enforcement, list the matter tomorrow i.e. 27th August, 2019 at 12.00 noon.

Interim protection granted on 23.08.2019 to the petitioner shall continue till tomorrow i.e. 27th August, 2019.

(MADHU BALA)  
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER