

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

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). 9385/2019

(Arising out of impugned final judgment and order dated 16-04-2019 in SBCRMBA No. 4237/2019 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

AADIL ANSARI Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN Respondent(s)

IA No. 51130/2020 - CONDONATION OF DELAY IN FILING
IA No. 27540/2020 - EXEMPTION FROM FILING O.T.

Date : 30-09-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Mohd. Irshad Hanif, AOR
Mr. Rizwan Ahmad Durrani, Adv.
Mr. Mujahid Ahmad, Adv.

For Respondent(s) Mr. Rahul Kumar, Adv.
Ms. Pragati Neekhara, AOR

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

We have perused Section 43D(5) of the Unlawful Activities (Prevention) Act, 1967. We have also perused the FIR, where the petitioner is not named, and, the relevant extracts of the charge-sheet dated 17.09.2014 insofar as it relates to the petitioner. We have also perused an order dated 26.10.2014 where bail was not granted. We are satisfied that the High Court judgment stating that a prima facie case has been made out against the petitioner based on the public prosecutor's statement cannot be said to be strictly correct.

Having perused these documents, without saying anything more, so as not to prejudice the trial, we set aside the judgment of the High Court and enlarge the petitioner on bail, subject to the usual conditions to be imposed by the trial court.

The Special Leave Petition stands disposed of.

Pending applications, if any, also stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)