

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). 2176/2020

(Arising out of impugned final judgment and order dated 23-10-2019 in MCRC No. 6532/2019 passed by the High Court Of Chhattisgarh At Bilaspur)

AFATAB SIDDIQUI

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH &amp; ANR.

Respondent(s)

( IA No. 73196/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 51011/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 48576/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 95386/2020 - EXEMPTION FROM FILING O.T.

IA No. 34787/2020 - EXEMPTION FROM FILING O.T.

IA No. 73197/2020 - EXEMPTION FROM FILING O.T.

IA No. 52474/2020 - EXEMPTION FROM FILING O.T.

IA No. 52470/2020 - EXEMPTION FROM FILING O.T.

IA No. 48575/2020 - INTERIM BAIL and IA No. 95384/2020 -  
PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 20-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN  
HON'BLE MR. JUSTICE R. SUBHASH REDDY  
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Mahesh Jethmalani, Sr. Adv.  
Mr. R.K. Singh, Adv.  
Ms. Neeraj Singh, Adv.  
Mr. Kumar Gaurav, Adv.  
Ms. Ritu Reniwal, Adv.  
Mr. Ajay Chaudhary, Adv.  
Mr. Pallav Mongia, Adv.  
Ms. Siya Chaudhary, Adv.  
Mr. Robin Khokhar, AOR

For Respondent(s)

Mr. Muhammad Ali Khan, AAG  
Mr. Sumeer Sodhi, AORMr. Vivek Tankha, Sr. Adv.  
Mr. Harshvardhan Jha, Adv.  
Mr. Yugandhara Pawar Jha, AOR  
Ms. Simran Agarwal, Adv.  
Mr. Aman Pathak, Adv.  
Mr. Amit Singh, Adv.

UPON hearing the counsel the Court made the following

O R D E R

This special leave petition has been filed against the order dated 23.10.2019 rejecting the bail application of the petitioner. The petitioner is an accused in Case Crime No. 23/2019 registered at Police Station Pandari at District Raipur under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

Learned counsel for the petitioner informs that the charge sheet has already been filed and charges have been framed.

Learned counsel for the State submits that the informant as well as Md. Idris are cited as prosecution witnesses.

Learned counsel for the petitioner submits that although several dates have been fixed in the Trial Court yet trial has neither begun nor statement of any witnesses has yet been recorded.

Mr. Vivek Tankha, learned senior counsel submits that the bail application of the petitioner may be directed to be considered afresh after statement of important witnesses are recorded.

Learned counsel for the State has also opposed the bail application.

Considering the facts and circumstances of the case, we are of the view that ends of justice be served in disposing this special leave petition with an observation that the Trial Court shall first proceed to record the statement of informant as well as Md. Idris. After the statements are recorded, the petitioner shall be at liberty to file a fresh bail application before the Trial Court which shall be considered and decided expeditiously in accordance

with law without being influenced by the observations made in the order of the High Court. Since the charges have been framed in the year 2019, we are of the view that the Trial Court shall endeavour to record the statement of two witnesses expeditiously preferably within a period of four months.

The special leave petition stands disposed of with the above observation.

Pending application, if any, stands disposed of.

(MEENAKSHI KOHLI)  
ASTT. REGISTRAR-cum-PS

(RENU KAPOOR)  
COURT MASTER