



4. The precise question was dealt with by a Five Judges Bench of this Court in P.V. Narasimha Rao vs. State (CBI/SPE)<sup>1</sup>.

While two Judges on the Bench took the view that the protection under Article 105(2)/194(2) of the Constitution of India and the immunity granted cannot extend to cases where bribery for making a speech or vote in a particular manner in the House is alleged, the majority view while acutely conscious of the seriousness of the offence, felt that the wrongful act and the "sense of indignation" of the Bench should not lead to a narrow construction of the constitutional provisions which may have the effect of impairing the guarantee to effective parliamentary participation and debate.

5. Having considered the matter we are of the view that having regard to the wide

1. (1998) 4 SCC 626

ramification of the question that has arisen, the doubts raised and the issue being a matter of substantial public importance we should be requesting for a reference of the matter to a larger Bench, as may be considered appropriate, to hear and decide the issue arising. We order accordingly and direct the Registry to place the record(s) before the Hon'ble the Chief Justice of India on the administrative side for appropriate orders.

.....,CJI.  
(RANJAN GOGOI)

.....,J.  
(S. ABDUL NAZEER)

.....,J.  
(SANJIV KHANNA)

NEW DELHI  
MARCH 07, 2019

ITEM NO.101

COURT NO.1

SECTION II-A

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). 2758/2014  
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 17-02-2014  
IN WPCRL NO. 128/2013 PASSED BY THE HIGH COURT OF JHARKHAND AT  
RANCHI)

SITA SOREN

PETITIONER(S)

VERSUS

UNION OF INDIA

RESPONDENT(S)

Date : 07-03-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S. ABDUL NAZEER  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. Vivek Singh, AOR  
Mr. Swastik Dalai, Adv.  
Mr. K.K. Singh, Adv.  
Mr. Samarth Khanna, Adv.

For Respondent(s)

Mr. Vikramjit Banerji, ASG  
Mr. R. Balasubramanian, Adv.  
Mr. Nalin Kohli, Adv.  
Mr. Anmol Chandan, Adv.  
Mr. Shamik Sanjanwala, Adv.  
Mr. Chandan Kumar, Adv.  
Mr. A.K. Sharma, Adv.  
Mr. Mukesh Kumar Maroria, AOR

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

Leave granted.

Having considered the matter we are of the view that  
having regard to the wide ramification of the question that  
has arisen, the doubts raised and the issue being a matter

of substantial public importance we should be requesting for a reference of the matter to a larger Bench, as may be considered appropriate, to hear and decide the issue arising. We order accordingly and direct the Registry to place the record(s) before the Hon'ble the Chief Justice of India on the administrative side for appropriate orders.

[VINOD LAKHINA]

AR-cum-PS

[ANAND PRAKASH]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]