

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 (CrI.) No(s).3856/2021

(Arising out of impugned final judgment and order dated 10-05-2021 in CRMABA No.4002/2021 passed by the High Court of Judicature at Allahabad)

THE STATE OF UTTAR PRADESH & ANR.

Petitioner(s)

VERSUS

PRATEEK JAIN & ANR.

Respondent(s)

(IA No. 62994/2021 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT, IA No.62992/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.62993/2021 - EXEMPTION FROM FILING O.T.

Date : 25-05-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Tushar Mehta, SG
Ms. Garima Prashad, AAG
Mr. Sarvesh Singh Baghel, AOR
Mr. Abhinav Agrawal, Adv.

For Respondent(s)

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

Heard learned Solicitor General appearing on behalf of the petitioner.

Issue notice, returnable in the first week of July, 2021.

In case the respondent does not appear on the next date of hearing, it shall be considered to be a good ground for cancellation of anticipatory bail granted to him by the High Court.

It has been pointed out by the learned Solicitor General that the larger issue is involved in this matter, as various directions

have been issued by the High Court with regard to grant of bail in the present Covid situation.

Keeping in view the totality of facts and circumstances of the present case, we direct that as far as the general observations and directions in the impugned order are concerned, the same shall remain stayed and the Courts shall not consider the said directions while considering other application for anticipatory bail, which shall be decided on the merit of each case, and not on the basis of observations made in the impugned order.

Keeping in view the importance of the issue involved in the present case, we deem it proper to appoint an amicus curiae to assist the Court.

Accordingly, we appoint Shri V. Giri, learned senior counsel, as an amicus curiae to assist the Court.

The petitioner as well as the Registry is directed to supply copy of the petition to the learned amicus curiae within three days from today.

(ARJUN BISHT)
COURT MMASTER

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