

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2023
(arising out of SLP(Crl.) No. _____ of 2023)
(@ Diary No. 35385 of 2022)

CENTRAL BUREAU OF INVESTIGATION

APPELLANT

VERSUS

S.R. RAMAMANI & ORS.

RESPONDENTS

O R D E R

Delay condoned.

Leave granted.

We deem it appropriate to clarify that the impugned judgment dated 08.06.2022 passed by the High Court of Calcutta in I.A. no. CRAN/1/2018 in CRMSPL/134/2018 should not be read as a mandate and direction contrary to Section 378(2) of the Code of Criminal Procedure, 1973 (Cr.P.C.). Statutory compliance is necessary, and not discretionary.

In terms of the directions issued by this Court vide order dated 12.05.2023, the appellant - Central Bureau of Investigation (CBI) has filed an affidavit enclosing therewith a number of circulars issued from time to time, including the circular issued post the decision mentioned above, to ensure that appeals are filed within time.

Recording the aforesaid, the appeal is disposed of.

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

.....J.
(SANJIV KHANNA)

.....J.
(BELA M. TRIVEDI)

NEW DELHI;
JULY 11, 2023.

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No. 35385/2022

(Arising out of impugned final judgment and order dated 08-06-2022 in I.A. No. CRAN/1/2018 in CRMSPL/134/2018 passed by the High Court at Calcutta)

CENTRAL BUREAU OF INVESTIGATION

Petitioner(s)

VERSUS

S.R. RAMAMANI & ORS.

Respondent(s)

(IA No.189867/2022-CONDONATION OF DELAY IN FILING and IA No.189868/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 11-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s)

Mr. Suryaprakash V. Raju, A.S.G.
Ms. Sairica S. Raju, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Anshuman Singh, Adv.
Mr. Zoheb Hossain, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s)

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

Delay condoned.

Leave granted.

The appeal is disposed of in terms of the signed order.

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

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(signed order is placed on the file)