

ITEM NO.33

COURT NO.2

SECTION II-C

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(s). 36787/2022

(Arising out of impugned final judgment and order dated 18-10-2022 in CRLA No. 173/2022 passed by the High Court Of Delhi At New Delhi)

SHARJEEL IMAM

Petitioner(s)

VERSUS

THE STATE OF NCT OF DELHI & ANR.

Respondent(s)

(IA No.184718/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.184719/2022-EXEMPTION FROM FILING O.T. and IA No.184717/2022-PERMISSION TO FILE PETITION (SLP)

Date : 09-12-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Siddharth Dave, Sr. Adv.
Mr. Talib Mustafa, Adv.
Mr. Ahmad Ibrahim, Adv.
Ms. Ayesha Zaidi, Adv.
Mr. Lzafeer Ahmad B. F., AOR
Ms. Raksha Agrawal, Adv.
Mr. Jetiben AO., Adv.
Mr. Kartik Venu, Adv.

For Respondent(s)

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

Permission to file SLP is granted.

The grievance of the petitioner as a co-accused is that while considering the bail application of another co-accused in the impugned order dated 18.10.2022 observations have been made damaging to

the role of the petitioner in the episode.

We have noticed in para 68 of the impugned judgment that the Division Bench has clarified that the observations made in that order will not tantamount to an expression of the opinion on the merits of the case.

However, learned counsel for the petitioner submits that the said observations are in the context of that co-accused's role *albeit* observations coming even against the petitioner herein and therefore, we clarify that any observations made in respect of the role of the petitioner in the impugned order would not prejudice the petitioner in any manner whatsoever.

The Special Leave Petition accordingly stands disposed of.

Pending applications stand disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)