



ITEM NO.45

COURT NO.7

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 (Cr1.) No(s). 12626/2022

(Arising out of impugned final judgment and order dated 11-10-2022 in ABA No. 6290/2022 passed by the High Court of Jharkhand at Ranchi)

SAMSUL ALAM KHAN

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(IA No. 199970/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(Cr1) No. 12842/2022 (II-A)

Diary No(s). 504/2023 (II-A)

(FOR ADMISSION and I.R. and IA No.6909/2023-CONDONATION OF DELAY IN FILING and IA No.6910/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.6911/2023-EXEMPTION FROM FILING O.T.)

Date : 23-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Mr. S.R. Singh, Sr. Adv.
Mr. Sushant Kumar Yadav, Adv.
Mr. Ajay Yadav, Adv.
Mr. Prateek Yadav, Adv.
Mr. Mangal Prasad, Adv.
Mr. Jaidev Yadav, Adv.
Prithvi Yadav, Adv.
Mr. Gaurav Lomes, Adv.
Mr. Ankur Yadav, AOR

Mr. R. Basant, Sr. Adv.
Mr. Jaswant M., Adv.
Mr. Amit Sharma, AOR

For Respondent(s)

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

SLP (Cr1.) Nos. 12626/2022 and 12842/2022

On the last date of hearing, we had called upon the petitioner(s) to inform the Court as to the total amount collected from the public under the schemes in the years 2009 to 2013, the total number of persons from whom the deposits were received under the schemes, whether refund/payments have been made and the total amount paid.

The learned Senior Advocate appearing on behalf of the petitioner(s) submits that they do not have the said details and would like to take benefit under the umbrella of Article 20 of the Constitution of India. The learned Senior Advocate appearing on behalf of the petitioner(s) has, however, drawn our attention to the charge sheet, in which it is stated that the total amount involved is to the tune of Rs.9,00,000/- approximately. It is stated that the petitioner(s) is ready and willing to deposit Rs.9,00,000/- before the trial court within a period of two weeks.

Without prejudice to the rights and contentions of the petitioner(s), let Rs.9,00,000/- be deposited by the petitioner(s) before the trial court within a period of two weeks.

Issue notice, returnable on 27th February 2023.

Notice will be served by all modes. Dasti as well is permitted.

By way of interim order, we direct that in case the petitioner(s) surrenders or is arrested, he/she shall be

provisionally enlarged on bail on terms fixed by the trial court in seisin of the case. In addition, he/she shall comply with the conditions stipulated in sub-section (2) to Section 438 of the Code of Criminal Procedure, 1973.

Diary No(s). 504/2023

Re-list tomorrow i.e. 24.01.2023.

(BABITA PANDEY)
COURT MASTER (SH)

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