

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL)..... Diary No(s).24744/2020

(Arising out of impugned final judgment and order dated 13-08-2020 in WPIL No.168/2020 passed by the High Court Of Andhra Pradesh At Amravati)

JUSTICE V. ESWARAI AH (RETD.)

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA NO.47120/2021 - APPLICATION SEEKING FURTHER HEARING OF THE MATTER IN LIGHT OF FRESH MATERIAL AND IA NO.47123/2021- APPLICATION SEEKING PERMISSION TO PLACE ON RECORD CERTAIN ADDITIONAL FACTS AND DOCUMENTS ON RECORD, IA No.1218/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No.3927/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No.123994/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.3926/2021 - INTERVENTION APPLICATION, IA No.1215/2021 - INTERVENTION APPLICATION, IA No.123993/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.123992/2020 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 05-04-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDYFor Petitioner(s) Mr. Prashant Bhushan, AOR
Ms. Cheryl D'souza, Adv.For Respondent(s) Mr. Sidharth Luthra, Sr. Adv.
Ms. Garima Bajaj, AOR
Mr. Nikhil Bamal, Adv.
Mr. Sheezan Hashmi, Adv.
Mr. Anmol Kheta, Adv.
Mr. Akshat Gupta, Adv.Mr. Zeeshan Mahmood, Adv.
Mr. Anirudh Wadhwa, Adv.
Mr. Atul Shankar Vinod, Adv.
Mr. M. P. Vinod, AORMr. Vipin Nair, AOR
Mr. Karthik Jayashankar, Adv.
Mr. Arindam Ghosh, Adv.
Mr. Anshumaan Bahadur, Adv.

Mr. B.V. Balaram Das, AOR

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

I.A. No.47123/2021 & I.A. No.47120/2021

Heard Shri Sidharth Luthra, learned senior counsel appearing for the applicant and Shri Prashant Bhushan, learned counsel appearing for the petitioner.

By I.A. No.47123/2021 the applicant has prayed that applicant in I.A. No.1215 of 2021 be allowed to produce crucial additional facts and documents. By I.A. No.47120/2021 the applicant has prayed that this Court may hear the parties on the additional facts and material produced by the applicant.

Shri Sidharth Luthra, learned senior counsel for the applicant submits that in Case Crime No.401/2020 under Sections 467, 468, 471, 406, 420 r/w 34 IPC one Mr. Ramakrishna was arrested and certain materials were seized from him which also included I-phone. He has referred to pages 9 and 11 of the application especially he referred to the note of seizure at page 11, which is to the following effect:

“Note: I-phone (during the period between 12-12-2020 and 25-2-2021, the cell phone was stolen by some unidentified persons and the same was registered as Crime No.50/2021 of Madanapalle II Town Police Station under section 379 IPC)”

He further submits that I-phone was stolen from the custody of the police station i.e. the State custody which has bearing on the issues in the present petition.

The note of the seizure memo with regard to case Crime

No.401/2020 is unrelated to the present proceeding. The special leave petition has been filed against the order of the High Court dated 13.08.2020 passed in Writ Petition (PIL) No.168/2020 which was already heard and judgment reserved. In so far as the Case Crime No.401/2020 is concerned, seizure of and the stealing of I-phone belonging to one Ramakrishna, it is for the concerned person to take appropriate proceeding in accordance with law. We see no reason to entertain these applications in the present petition.

Both the interlocutory applications are disposed of accordingly. Let the special leave petition be listed for delivery of judgment on 12.04.2021.

(ARJUN BISHT)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER