

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRIMINAL) NO.206 OF 2024

SUKASH CHANDRA SHEKHAR @ SUKESH & ANR.

PETITIONER(S)

VERSUS

THE STATE OF NCT OF DELHI & ORS.

RESPONDENT(S)

O R D E R

1. Heard the learned senior counsel/counsel for the parties.
2. The writ petition has been filed by the writ petitioners seeking following reliefs:-

“a) Pass an order of Writ in the nature of mandamus or any other writ thereby seeking directions or orders in the nature of mandamus from this Hon’ble Court, directing the Respondent to shift the Petitioners to Petitioner No.1’s home state, i.e., State of Karnataka or to any other prison across India, which is away from the interference and administrative control of Delhi Government, i.e., Aam Aadmi Party, i.e., excluding both Delhi and Punjab, in particular, to ensure safety of life and fair trial of the Petitioners; and

b) Pass an order of Writ in the nature of mandamus or any other writ thereby directing the Ld. ASJ, Patiala House Court, New Delhi to accept the appearances of the Petitioners through video-conferencing from Jail; and

c) Pass an order of Writ in the nature of mandamus or any other writ thereby directing the video conferencing facility may be made available at Central Jail of Bangalore, Karnataka or at any other jail where the Petitioners may get shifted by this Hon'ble Court, so as to enable them to record their presence in the trial court proceedings; and

d) Pass any other or further order/s or directions as this Hon'ble Court deems fit and proper in the attendant facts and circumstances of the case."

3. It may be noted that prior to filing of the present writ petition, the petitioners had filed other three writ petitions, which were disposed of by this Court, the details of which are as under:-

- i) Writ Petition (Crl.) No.129 of 2022;
- ii) Writ Petition (Crl.) No.401 of 2022; and
- iii) Writ Petition (Crl.) No.441 of 2022.

4. Apart from the fact that the petitioners have filed the writ petitions one after the other claiming almost same reliefs, the grievances of the petitioners as raised in the present writ petition do not survive in view of the changed circumstances. Hence, we are not inclined to entertain the present writ petition filed under Article 32 of the Constitution of India.

5. We may clarify that we have not expressed any opinion on the merits of the case, however, we may say that though every citizen has a right to take recourse to the legal remedy, nobody has right to misuse the process of law.

6. The Writ Petition is dismissed accordingly.

7. Pending applications, if any, stand disposed of.

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

.....J.
(PRASANNA B. VARALE)

NEW DELHI;
18TH FEBRUARY, 2025.

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

Writ Petition(s)(Criminal) No(s).206/2024

SUKASH CHANDRA SHEKHAR @ SUKESH & ANR.

Petitioner(s)

VERSUS

THE STATE OF NCT OF DELHI & ORS.

Respondent(s)

(IA No. 109452/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 135159/2024 - EARLY HEARING APPLICATION, IA No. 200703/2024 - EARLY HEARING APPLICATION, IA No. 142890/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 135138/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 18-02-2025 This matter was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Shoeb Alam, Sr. Adv.
Mr. Rakeesh N.P., AOR

For Respondent(s) : Mr. Suryaprakash V Raju, A.S.G. [Not Present]
Mr. Piyush Beriwal, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Suryaprakash V.Raju, A.S.G. [Not Present]
Mr. Padmesh Mishra, Adv.
Mr. Arvind Kumar Sharma, AOR

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

1. In terms of the signed order, the Writ Petition is dismissed.
2. Pending application(s), if any, also stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)

(MAMTA RAWAT)
COURT MASTER (NSH)

(signed order is placed on the file)