

ITEM NO.76

COURT NO.5

SECTION II-C

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

Petition for Special Leave to Appeal (Crl.) No. 11790/2024

[Arising out of impugned final judgment and order dated 20-08-2024 in CRMP No. 721/2024 passed by the High Court of Chhattisgarh at Bilaspur]

ANIL TUTEJA & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(ONLY SLP(CRL.) NO. 12124/2024 AND SLP(CRL.) NO. 12153/2024 ARE LISTED)

WITH

SLP(Crl) No. 12124/2024 (II-C)

(IA No. 207575/2024 - EXEMPTION FROM FILING O.T.

IA No. 207573/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(Crl) No. 12153/2024 (II-C)

(IA No. 200683/2024 - EXEMPTION FROM FILING O.T.

IA No. 213420/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Dr. A. M. Singhvi, Sr. Adv.
Mr. Malak Manish Bhatt, AOR

For Respondent(s) Mr. Tushar Mehta, Solicitor General(N/P)
Mr. Suryaprakash V.raju, A.S.G.
Mr. Zoheb Hossain, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Aaditya Shankar Dixit, Adv.
Mr. Kanu Agarwal, Adv.
Mr. Animesh Upadhyay, Adv.
Mr. Samrat Goswami, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. Akshay Kumar Arya, Adv.
Ms. Akshita Choubey, Adv.

Ms. Deepika Gahlot, Adv.

Mr. Ravi Sharma, D.A.G.

Mr. Apoorv Shukla, AOR

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

Learned senior counsel appearing for the petitioners seek permission to withdraw the present petitions with liberty to apply for bail. This request is accepted. While we accept this request.

As far as SLP(CrL.) No. 12124 of 2024 is concerned, we must record certain disturbing features of the case. The petitioner on 20th April, 2024 around 04:30 p.m. was sitting in ACB Office at Raipur. Firstly, he was served a summon directing him to appear before Enforcement Directorate(for short, 'E.D.')

at 12:00 p.m. on the same day. Thereafter, another summons were served while he was in the office of ACB calling upon him to appear before E.D. at 05:30 p.m..He was taken to E.D.'s office from there. After interrogating him for the whole night, was shown as arrested at 04:00 a.m. There was no reason for the E.D. to act in this manner. The facts are glaring. However, learned Additional Solicitor General has stated that remedial measures have been taken by E.D. to ensure that such incidents are avoided and there is a press release to that effect issued on 29th October, 2024.

The special leave petitions are disposed of as withdrawn with liberty to apply for grant of bail. If such applications are made, considering the peculiar facts of the case, the concerned Special Court shall give necessary priority to disposal of the bail applications.

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

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(ANU BHALLA)
COURT MASTER(NSH)