

CRM-32156-2024 in CRA-S-2737-2024

Subhash Bajaj @ Subhash Chander Vs Enforcement Directorate, Government of India

Present:- Mr. Bipan Ghai, Senior Advocate,
with Mr. Nikhil Ghai, Advocate,
Mr. Tushan Rawal, Advocate,
for the appellant.
Mr. Satya Pal Jain, Addl. Solicitor General of India (through video conferencing),
with Ms. Meghna Malik, Advocate,
Mr. Shobit Phutela, Advocate (through video conferencing),
for the respondent – Enforcement Directorate.
Mr. Salil Sabhlok, Senior Deputy Advocate General, Punjab.

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The present application for suspension of sentence is pending since 2024 and though reply by the prosecuting agency i.e. Enforcement Directorate has been filed on 10.09.2024, but the said reply does not contain details about the period of custody undergone.

Learned counsel appearing for the respondent – Enforcement Directorate submits that the custody details are given by the State.

The prosecuting agency, which opposes an appeal or application for suspension of sentence, is supposed to provide all the details including details about the custody suffered whether it is during the under-trial period or post conviction.

Therefore, it is directed that henceforth in all the applications for suspension of sentence, it would be the responsibility of the Enforcement Directorate, wherever it is Investigating Agency, to supply details about the custody period suffered by convicted appellant(s) by coordinating with the State agency.

List on 24.02.2025.

(SHEEL NAGU)
CHIEF JUSTICE

(SUMEET GOEL)
JUDGE

14.02.2025
Amodh Sharma