

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

Miscellaneous Application No. 2454/2024 in CrI.A. No. 4011/2024

K. VIDHYA KUMAR

Petitioner(s)

VERSUS

THE DEPUTY DIRECTOR & ANR.

Respondent(s)

(FOR ADMISSION

IA No. 239663/2024 - APPLICATION FOR PERMISSION

IA No. 239661/2024 - INTERVENTION/IMPLEADMENT

IA No. 239631/2024 - RECALLING THE COURTS ORDER)

Date : 02-12-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Pranav Sachdeva, Adv.
Ms. Neha Rathi, AOR
Mr. Jatin Bhardwaj, Adv.
Ms. Shreya Nair, Adv.

For Respondent(s)

Mr. Siddharth Luthra, Sr. Adv.
Mr. Aditya Sondhi, Sr. Adv.
Dr. Ram Sankar, Adv.
For M/S. Ram Sankar & Co, AOR

Mr. Arkaj Kumar, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Zoheb Hussian, Adv.
Mr. Merusagar Samantaray, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Balaji Srinivas, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Balaji Srinivasan, AOR
Mr. Vishwaditya Sharma, Adv.

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

The prayer made in IA No. 239631/2024 is for recalling of the judgment and order dated 26th September, 2024.

After having heard the learned counsel appearing for the applicant and after perusing our own judgment, we reiterate the law laid down in the said decision.

The present application is based on apprehension. The apprehension is based on the fact that immediately after we enlarged the second respondent on bail by the judgment and order dated 26th September, 2024, the second respondent has been appointed as a Cabinet Minister of the State. The apprehension is that considering the seriousness of the allegations against the second respondent in the predicate offences, the witnesses may not be in the frame of mind to depose against the second respondent who is now holding the position of a Cabinet Minister. This is the only aspect on which, *prima facie*, we are inclined to consider the application. We make it clear that as there is no reason to interfere with the view taken on merits in the order dated 26th September, 2024, the adjudication of this application shall remain confined to the aforesaid aspect only.

Today, we are not issuing notice, as the learned senior counsel appearing for the second respondent seeks time to take instructions.

On the request of the learned senior counsel appearing for the second respondent, list on 13th December, 2024.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER