

ITEM NO.9 Court 6 (Video Conferencing) SECTION IV-C

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). 24470/2021

(Arising out of impugned final judgment and order dated 23-01-2019 in WA No. 1176/2017 10-08-2021 in RP No. 422/2021 passed by the High Court Of M.p At Gwalior)

SATENDRA SINGH TOMAR Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ORS. Respondent(s)

(IA No.139871/2021-CONDONATION OF DELAY IN FILING and IA No.139861/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.139869/2021-EXEMPTION FROM FILING O.T. and IA No.139865/2021-EXEMPTION FROM FILING AFFIDAVIT)

Date : 13-11-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Siddharth Sharma, Adv.  
Mr. Prashant Sharma, Adv.  
Mr. Shashank Singh, AOR  
Ms. Madhura Aparajita, Adv.

For Respondent(s)

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

In view of pendency of review, delay is  
condoned.

Applications for exemption from filing C/C of  
the impugned judgment, exemption from filing O.T.  
and exemption from filing affidavit are allowed.

Learned counsel for the petitioner contends  
that what has been held against him is the  
imposition of penalty of Rs.100/- on him in Crime

No. 14/2010 under the Gambling Act, 1867 (for short, "the Act") where he was found playing cards in the colony. He submits that he was about 22 years of age at that stage. The learned Single Judge directed the reconsideration of his case as on that ground he was sought to be deprived of his employment as a police Constable after his posting order was issued. The order of the learned Single Judge dated 02.11.2016 was assailed in a Writ Appeal after delay of 300 days. That inordinate delay was condoned and in terms of the impugned judgment dated 23.01.2019, it has been opined that the conviction of the petitioner under Section 13 of the Act would tantamount to moral turpitude. He points out that among the list of offences in the Schedule to the Act, the said offence has not been mentioned but that has been opined as only illustrative list of offences and not exhaustive.

Issue notice.

A copy of the order to accompany the notice.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)