

ITEM NO.3

COURT NO.1

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 2541/2022

(Arising out of impugned final judgment and order dated 08-04-2021 in WA No. 124/2021 passed by the High Court Of Karnataka At Bengaluru)

M/S INDIANS FOR AMNESTY INTERNATIONAL TRUST

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.39052/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.39053/2022-EXEMPTION FROM FILING AFFIDAVIT and IA No.39050/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-10-2022 This petition was called on for hearing today.
CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Rishabh Sancheti, Adv.
Mr. B.N. Jagadeesha, Adv.
Ms. Padma Priya, Adv.
Mr. Anchit Bhandari, Adv.
Mr. Suyash Jain, Adv.
Mr. Zeesan Ali, Adv.
Mr. K. Paari Vendhan, AOR

For Respondent(s) Mr. Aravindh S., AOR

Mr. Tushar Mehta, SG
Ms. Aishwarya Bhati, ASG
Mr. Kanu Agrawal, Adv.
Ms. Manisha Chava, Adv.
Mr. Karunakar Mahalik, Adv.
Mr. O.P. Shukla, Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. Zoheb Hossain, Adv.

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

The present special leave petition challenges the judgment and order dated 08.04.2021 passed by the Karnataka High Court and the

scope of the matter got limited by reason of the order passed by this Court on 13.05.2022. For facility, the text of said order is produced here :

"Mr. Kapil Sibal, learned Senior Advocate appearing for the petitioner has invited our attention to the concession given by the ASG which is recorded in paragraph 8 of the impugned order.

He further submits that there was no attachment with respect to accounts mentioned at Sl. No.(a), (b) and (c) in paragraph 12 of the order which part has been quoted in paragraph 4 of the impugned order.

Me. Sibal has confined his case only with respect to the accounts at Sl. Nos.(a), (b) and (c) as mentioned above.

Issue notice, returnable on 11.07.2022.

Dasti, in addition."

After exchange of pleadings an additional affidavit has been filed on behalf of the respondents along with copy of the Provisional Attachment Order No.07/22 dated 07.10.2022 which has noted the three accounts mentioned in the order passed by this Court as under :

S. No.	Account No.	Bank	Type	Balance Latest in Rs.	Communication of bank dated
1	50200019793101	HDFC, Horamavu Branch, Bengaluru	Current Account	93,80,748.80	Email dated 14.07.2022
2	0022887000000056	Yes Bank, Kasturba Road, Bangalore	Current Account	60,23,243.50	Email dated 14.07.2022
3	209044039546	Kotak Mahindra Bank, Indiranagar Branch, Bengaluru	OD	(-)4,36,72,581	Email dated 12.07.2022
		Total		Rs.1,54,03,992.30/- along with accrued interest	

The operative part of the order dated 07.10.2022 has stated as under :

"13. NOW THEREFORE, I order that the aforesaid bank accounts having balance of Rs.1,54,03,992.30/- (Rupees One Crore Fifty-Four Lakhs Three Thousand Nine Hundred Ninety-Two Only) along with accrued interest specified in 'Schedule A' above is attached provisionally in terms of Section 5(1) of PMLA, 2002 for a period of 180 days (One Hundred and Eighty) and further order that the same shall not be transferred, disposed, removed, parted with or otherwise dealt with, in any manner whatsoever, until or unless specifically permitted to do so by the undersigned. This order of attachment may cease to be effective before the expiry of the specified period of 180 days or continue to be effective thereafter in accordance with any order passed by the Adjudicating Authority under Section 8 of PMLA, 2002 whichever is earlier."

In view of the aforestated order, we see no reason to entertain this Special Leave Petition which is accordingly dismissed.

We, however, reserve the rights of the petitioner to challenge the aforestated order dated 07.10.2022 in accordance with law and dismissal of this Special Leave Petition shall not be taken to be a reflection on merits or demerits of rival contentions.

Pending interlocutory application(s), if any, stands disposed of.

(SANJAY KUMAR-II)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)