

ITEM NO.1

COURT NO.6

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 for Special Leave to Appeal (Cr1.) No.7437/2023

(Arising out of impugned final judgment and order dated 15-06-2023 in HCP No. 1021/2023 passed by the High Court of Judicature at Madras)

THE STATE REP BY DEPUTY DIRECTOR

Petitioner(s)

VERSUS

MEGALA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.117269/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(Cr1) No. 7460/2023 (II-C)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 117533/2023)

Date : 21-06-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE M.M. SUNDRESH
(VACATION BENCH)

For Petitioner(s)

Mr. Tushar Mehta, Solicitor General
Mr. Zoheb Hussain, Adv.
Mr. Rajan Kumar Chourasia, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. Shantnu Sharma, Adv.
Mr. Kshitiz Aggarwal, Adv.
Mr. Vinayak Sharma, Adv.
Mr. Mukesh Kumar Maroria, AOR

For Respondent(s)

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Devadatt Kamat, Sr. Adv.
Mr. Arjun Garg, AOR
Mr. S. Mahesh, Adv.
Mr. K.M. Arun, Adv.
Mr. N. Bharani Kumar, Adv.
Revanta Solanki, Adv.
Mr. Aakash Nandolia, Adv.

Mr. Vikram Chaudhry, Sr. Adv.
Ms. Misha Rohatgi, AOR
Mr. Nakul Mohta, Adv.
Mr. Bharat Monga, Adv.
Ms. Riya Dhingra, Adv.
Mr. K. M. Arun, Adv.
Mr. N. Bharani, Adv.

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

1. We have heard Mr. Tushar Mehta, learned Solicitor General of India on behalf of the petitioner and S/Shri Neeraj Kishan Kaul, Devadatt Kamat and Vikram Chaudhry, learned Senior Counsel, who are on caveat, on behalf of the Respondents.
2. The High Court is yet to render its final opinion on the following issues :-
 - (i) Re. maintainability of the Habeas Corpus Petition;
 - (ii) The exclusion of the period of treatment undergone by the detenu from the period of custodial interrogation.
3. Since both these issues are likely to be examined by the High Court on the date fixed, i.e., 22-06-2023 or soon thereafter, we deem it appropriate to post these Special Leave Petitions for further hearing on 04-07-2023.
4. It is clarified that the pendency of these Special Leave Petitions shall not be taken as a ground to adjourn the matter, pending adjudication before the High Court.
5. The observations made by the High Court in the interim order dated 15-06-2023 or any oral observation made by this Court during the course of hearing shall have no bearing on the merits of the case.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
COURT MASTER (NSH)