

ITEM NO.3

COURT NO.1

SECTION X

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

Writ Petition (Criminal) No.541/2023

MANU PRASHANT WIG

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With I.R. and IA No.228793/2023-EX-PARTE STAY and IA No.228796/2023-EXEMPTION FROM FILING O.T. and IA No.228791/2023-EX-PARTE BAIL)

Date : 10-11-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Chayan Sarkar, Adv.
Mr. Karan Bindra, Adv.
Mr. Shailendra Kumar, Adv.
Mr. Bipul Kedia, Adv.
Mr. Kumar Ankur, AOR

For Respondent(s)

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

- 1 The reliefs which the petitioner seeks while invoking the jurisdiction under Article 32 of the Constitution are:

- (i) A direction to respondent Nos 1 to 8 to frame guidelines for the regulation of trading and mining of crypto currencies;
 - (ii) A direction for the prosecution of cases involving digital assets/crypto currencies; and
 - (iii) A direction to respondent Nos 2 to 7 to implement Consumer Protection (Direct Selling) Rules 2021.
- 2 Though the petition is under Article 32 of the Constitution, it is evident that the real purpose is to seek bail in proceedings which are pending against the petitioner. We are unable to subscribe to this course of action.
 - 3 The petitioner would be at liberty to move the appropriate court for the grant of regular bail. Insofar as the main reliefs are concerned, they are more in a nature of a legislative direction which the court cannot issue under Article 32 of the Constitution.
 - 4 We accordingly dispose of the Petition granting liberty to the petitioner to pursue his remedies in accordance with law.
 - 5 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar