

ITEM NO.7

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) Diary No(s). 47024/2023

RANDEEP SINGH SURJEWALA

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

Date : 09-11-2023 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) Dr A M Singhvi, Sr. Adv,
Mr. S.G. Sasnain, Sr. Adv.
Mr. Muhammad Ali Khan, Adv.
Mr. Abishek Jebaraj, AOR
Mr. Omar Hoda, Adv.
Mr. Amit Bhandari, Adv.
Ms. Eesha Bakshi, Adv.
Ms. Sanjana Grale Thomas, Adv.
Mr. Kamran Khan, Adv.
Mr. Uday Bhatia, Adv.

For Respondent(s)

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

- 1 The petitioner has moved this Court under Article 32 of the Constitution aggrieved by an order directing the issuance of non-bailable warrants on 7 November 2023 by the Additional Sessions Special Court MP/MLA, Varanasi. The petitioner is implicated in Sessions Trial 187 of 2023 (State of Uttar Pradesh Vs Randeep Singh Surjewala) for alleged offences under Sections 147, 332, 333, 336, 353 and 427 of the Indian Penal, Section 7 of the Criminal Law

(Amendment) Act and Section 3 of the Prevention of Damage to Public Property Act at Police Station Varanasi.

- 2 Dr Abhishek Manu Singvi, senior counsel appearing on behalf of the petitioner states that the High Court of Judicature at Allahabad has reserved judgment on 30 October 2023 on a petition filed under Section 482 of the Code of Criminal Procedure 1973.
- 3 The grievance of the petitioner is that though the petitioner sought to move the High Court against the order for the issuance of the non-bailable warrants, the learned Judge has declined to allow the listing of the petition. This has been averred in paragraph 14 of the petition under Article 32 of the Constitution.
- 4 Bearing in mind the order which we propose to pass, it is not necessary to issue notice to the respondents at this stage.
- 5 We permit the petitioner to move an application before the trial Judge for the cancellation of the non-bailable warrants.
- 6 The non-bailable warrants shall not be executed in the meantime till 14 December 2023.
- 7 The Writ Petition is accordingly disposed of.
- 8 Pending applications, if any, stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR