

ITEM NO.15 Court 4 (Video Conferencing) SECTION II-A

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 (Crl.) No(s).9957/2021

(Arising out of impugned final judgment and order dated 13-08-2021 in CRLA No. 355/2021 passed by the High Court of Judicature at Bombay)

THE STATE OF MAHARASHTRA Petitioner(s)

VERSUS

IQBAL AHMED Respondent(s)

(FOR ADMISSION and I.R. and IA No.167269/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.167271/2021-EXEMPTION FROM FILING O.T.)

Date : 11-02-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Tushar Mehta, SG
 Mr. Suryaprakash V.Raju, ASG
 Ms. Sairica V Raju, Adv.
 Mr. Sanjay Kumar Tyagi, Adv.
 Ms. Swarupama Chaturvedi, Adv.
 Mr. Rahul Mishra, Adv.,
 Mr. Rajat Nair, Adv.
 Mr. Arvind Kumar Sharma, AOR

For Respondent(s) Mr. Siddhartha Dave, Sr. Adv.
 Mr. Shahid Nadeem, Adv
 Mr. Kritika Agrawal, Adv
 Mr. Mujahid Ahmed, Adv
 Mr. Gaurav Agrawal, AOR

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

1 In the appeal which arose from the judgment of the Special Judge rejecting the application for bail, the Division Bench of the High Court, while granting bail, adverted to the decision of this Court in **Union of India v K A Najeeb**¹.

- 2 In the facts and circumstances of the present case, we are not inclined to disturb the order of the High Court. However, we clarify that the observations contained in the impugned order are confined to the disposal of the application for bail arising out of the judgment of the Special Judge on the question of bail. Moreover, it was unnecessary for the High Court to advert to the decision in **Shreya Singhal v Union of India**² and the judgment of the High Court can be sustained even independent of the said observations.
- 2 Subject to the aforesaid clarification, the Special Leave Petition is disposed of.
- 3 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER