

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 1393/2013

NAVEEN KAUSHIK

Appellant (s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

Respondent (s)

WITH

Crl.A. No. 1377/2013
Crl.A. No. 1394/2013
Crl.A. No. 1382/2013
Crl.A. No. 1383/2013
Crl.A. No. 1384/2013
Crl.A. No(s) .1386-1387/2013
Crl.A. No. 1385/2013
Crl.A. No. 1406/2013
Crl.A. No. 1396/2013
Crl.A. No. 1395/2013
Crl.A. No. 1391/2013
Crl.A. No. 1389/2013
Crl.A. No. 1388/2013
Crl.A. No. 1398/2013
Crl.A. No. 1397/2013
SLP(Crl) No(s) .2610/2013
Crl.A. No. 1390/2013
Crl.A. No. 1399/2013
Crl.A. No. 1402/2013
Crl.A. No. 1400/2013
Crl.A. No. 1401/2013
Crl.A. No. 1404/2013
Crl.A. No. 1403/2013
Crl.A. No. 1405/2013
SLP(Crl) No. 6835/2013
SLP(Crl) No. 6834/2013
SLP(Crl) No. 6837/2013
Crl.A. No. 388/2014
SLP(Crl) No(s) .10050-10051/2013
SLP(Crl) No(s) .9652-9653/2013
Crl.A. No. 234/2014
SLP(Crl) No. 5678/2014
SLP(Crl) No. 1451/2014
SLP(Crl) No. 1399/2014
SLP(Crl) No. 2508/2014
SLP(Crl) No. 2970/2014
SLP(Crl) No. 2507/2014

SLP (Cr1) No. 2939/2014
 SLP (Cr1) No. 2977/2014
 SLP (Cr1) No. 4709/2014
 SLP (Cr1) No. 6372/2014
 SLP (Cr1) No. 6391/2014
 SLP (Cr1) No. 6691-6692/2014
 SLP (Cr1) No. 9363/2017

O R D E R

We have heard learned counsel for the parties and perused the record.

Criminal Appeal NO(s).1393 of 2013,
Criminal Appeal NO(s).1377/2013, 1383/2013, 1399/2013, 1405/2013,
and SLP(Cr1.)NO.6837/2013,
Criminal Appeal NO.1382 of 2013,
Criminal Appeal NO. 1396 of 2013,
Criminal Appeal NO(s).1389/2013, 1388/2013, 1390/2013
SLP(Cr1.)NO.2610/2013,
Cr1.Appeal NO(s).1398/2013, SLP (Cr1.) NO(s). 6835/2013, 6834/2013,
Criminal Appeal NO(s).1397/2013, 1402/2013, 1401/2013, 1404/2013,
1403/2013, SLP(Cr1.)NO(s).9652-53/2013, 1451/2014, 1399/2014,
2508/2014, 2970/2014, 2507/2014, 6372/2014, 6391/2014,
Criminal Appeal NO(s). 1400/2013
Criminal Appeal NO(s). 388/2014,
SLP (Cr1.) NO(s).2939/2014, 2977/2014, 4709/2014, 6691-6692/2014,

The appeals and the special leave petition are allowed to be withdrawn without prejudice to any contention to be raised before the trial court in accordance with law.

The parties are directed to appear before the trial court for further proceedings on 21st May, 2018 or as per the scheduled date.

Criminal Appeal NO.1394/2013 :

In view of judgment of this Court dated 28th March, 2018 in Asian Resurfacing of Road Agency P. Ltd. And Anr. v. Central Bureau of Investigation, Criminal Appeal NO(s).1375-1376 of 2013, the impugned order is set aside and the matter is remanded to the High Court for fresh decision in accordance with law.

The appeal is accordingly disposed of.

The parties are directed to appear before the High Court on Monday, the 28th May, 2018.

Criminal Appeal NO. 1384 of 2013:

The appeal is dismissed as infructuous on the statement of learned counsel for the appellant(s).

The parties are directed to appear before the trial court for further proceedings on 21st May, 2018 or as per the scheduled date.

Criminal Appeal NO. 1385 of 2013:

The appeal is allowed to be withdrawn without prejudice to any contention to be raised before the trial court in accordance with law.

The parties are directed to appear before the trial court for further proceedings on 15th May, 2018.

Criminal Appeal NO. 1406 of 2013,
Criminal Appeal NO. 1391 of 2013:

The appeals are allowed to be withdrawn without prejudice to any contention to be raised before the trial court in accordance with law.

The parties are directed to appear before the trial court for further proceedings on 10th July, 2018.

Criminal Appeal NO(s).234/2014 :

The appeal is allowed to be withdrawn without prejudice to any

contention to be raised before the trial court in accordance with law.

The parties are directed to appear before the trial court for further proceedings on 19th May, 2018.

Criminal Appeal NO. 1386-1387 of 2013,
Criminal Appeal NO. 1395 of 2013,
SLP (Crl.)NO(s).10050-10051/2013 :

We do not find any merit in these appeals and the special leave petitions which are hereby dismissed.

The parties are directed to appear before the trial court for further proceedings on 21st May, 2018 or as per the scheduled date.

We further direct that in all the matters, mentioned above, record be sent to the trial court so that the trial court may proceed with the matters pending before it.

SLP(Crl.)NO(s).5678/2014 :

The special leave petition is wrongly tagged with Crl.A.NO(s).1386-1387/2013.

Accordingly, the special leave petition is detagged and may be listed independently.

SLP(Crl.)NO.9363/2017 :

Tag to SLP(Crl.)NO.6165 of 2016.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(ROHINTON FALI NARIMAN)

New Delhi,
April 26, 2018.

ITEM NO.101

COURT NO.11

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 SCriminal Appeal No(s). 1393/2013

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Crl.A. No. 1384/2013 (II-C)

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Crl.A. No. 1385/2013 (II-C)

Crl.A. No. 1406/2013 (II-C)

Crl.A. No. 1396/2013 (II-C)

Crl.A. No. 1395/2013 (II-C)

Crl.A. No. 1391/2013 (II-C)

Crl.A. No. 1389/2013 (II-B)

Crl.A. No. 1388/2013 (II-B)

Crl.A. No. 1398/2013 (II-C)

Crl.A. No. 1397/2013 (II-C)

SLP(Crl) No. 2610/2013 (II-B)

Crl.A. No. 1390/2013 (II-C)

Crl.A. No. 1399/2013 (II-C)

Cr1.A. No. 1402/2013 (II-C)
Cr1.A. No. 1400/2013 (II-C)
Cr1.A. No. 1401/2013 (II-C)
Cr1.A. No. 1404/2013 (II-C)
Cr1.A. No. 1403/2013 (II-C)
Cr1.A. No. 1405/2013 (II-C)
SLP(Cr1) No. 6835/2013 (II-C)
SLP(Cr1) No. 6834/2013 (II-C)
SLP(Cr1) No. 6837/2013 (II-C)
Cr1.A. No. 388/2014 (II-C)
SLP(Cr1) No. 10050-10051/2013 (II-C)
SLP(Cr1) No. 9652-9653/2013 (II-C)
Cr1.A. No. 234/2014 (II-C)
SLP(Cr1) No. 5678/2014 (II-C)
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SLP(Cr1) No. 2970/2014 (II-C)
SLP(Cr1) No. 2507/2014 (II-C)
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SLP(Cr1) No. 4709/2014 (II-C)
SLP(Cr1) No. 6372/2014 (II-C)
SLP(Cr1) No. 6391/2014 (II-C)
SLP(Cr1) No. 6691-6692/2014 (II-C)
SLP(Cr1) No. 9363/2017 (II-B)

Date : 26-04-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)/
Petitioner(s)

Mr. Vikas Singh, Sr. Adv.
Mr. Md. Shahid Anwar, AOR
Mr. Zulfiqar Ali Khan, Adv.
Mr. Aamir Naseem, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. Md. Shahid Anwar, AOR
Mr. M.C. Dhingra, Adv.
Mr. Anuj Chauhan, Adv.

Mr. Vikash Singh, Sr. Adv.
Mr. Sibho Sankar Mishra, AOR
Mr. M.K. Pandey, Adv.
Ms. Sutapa Sarangi, Adv.

Mr. Anupam Lal Das, AOR
Mr. Anirudh Singh, Adv.
Mr. Krishanu Barua, Adv.

Mr. Rishi Malhotra, AOR

Dr. Sushil Kumar Gupta, Adv.
Mr. Ajit Kumar Gupta, Adv.
Ms. Radhey Shyam Ahuja, Adv.
Mr. Md. Shahid Anwar, AOR

Mr. Md. Shahid Anwar, Adv.
Mr. M.K. Pandey, Adv.

Mr. Arvind Kumar Shukla, Adv.
Mr. Mohit D. Ram, AOR
Mr. Alok Shukla, Adv.
Mr. Nihal Ahmad, Adv.
Mr. Kunal Yadav, Adv.
Ms. Nena Shukla, Adv.

Dr. Sushil Kumar Gupta, Adv.
Mr. Ajit Kumar Gupta, Adv.
Ms. Radhy Shyam Ahuja, Adv.
Ms. Mridula Ray Bharadwaj, AOR

Mr. Yoginder Handoo, AOR
Mr. Nishant Kumar, Adv.

Mr. Harvinder Singh Bhullar, Adv.

Ms. Monalisha Chowdhury, Adv.
Mr. Ashwani Kumar, AOR

Mr. Yogesh Verma, Adv.
Mr. Bhavtosh Sharma, Adv.
Mr. Snehil Sonam, Adv.
Mr. Anuj Chauhan, Adv.
Mr. Gopal Jha, AOR

Mr. Sarvesh Singh Baghel, AOR

Mr. Rajesh Tyagi, Adv.
Mr. Harsh Khanna, Adv.
Mr. Harish Pandey, AOR
Mr. Amit Tanwar, Adv.

Mr. Nikhil Jain, AOR

Mr. R.P. Shukla, Adv.
Mr. Vijay K. Jain, AOR

Mr. Kamal Mohan Gupta, AOR

Mr. Abhinav Sharma, Adv.
Ms. Sneha Baul, Adv.
Mr. Santosh Kumar - I, AOR

For Respondent(s)

Mr. S. S. Shamsbery, Adv.
Ms. Rukhmini Bobde, Adv.
Ms. Kiran Bhardwaj, Adv.
Ms. Binu Tamta, Adv.
Mr. V.V. Pattabi Ram, Adv.
Mr. Sumit Teterwal, Adv.
Mr. Mukesh Kumar Maroria, AOR

Ms. Kiran Bhardwaj, Adv.
Mr. B. V. Balaram Das, AOR

Mr. Ashok K. Mahajan, AOR

Mr. Senthil Jagadeesan, AOR

Mr. Amarjit Singh Bedi, AOR

Mr. Sarvesh Singh Baghel, AOR

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

Delay, if any, is condoned.

In terms of the signed reportable order, Criminal Appeal

NO(s).1393 of 2013, Criminal Appeal NO(s).1377/2013, 1383/2018, 1399/2013, 1405/2013, SLP(Cr1.)NO.6837/2013,Criminal Appeal NO.1382 of 2013,Criminal Appeal NO. 1396 of 2013,Criminal Appeal NO(s).1389/2013, 1388/2013, 1390/2013, SLP(Cr1.)NO.2610/2013, Cr1.Appeal NO(s).1398/2013, SLP (Cr1.) NO(s). 6835/2013, 6834/2013, Criminal Appeal NO(s).1397/2013, 1402/2013, 1401/2013, 1404/2013, 1403/2013, SLP(Cr1.)NO(s).9652-53/2013, 1451/2014, 1399/2014, 2508/2014, 2970/2014, 2507/2014, 6372/2014, 6391/2014, Criminal Appeal NO(s). 1400/2013, Criminal Appeal NO(s). 388/2014, SLP (Cr1.) NO(s).2939/2014, 2977/2014, 4709/2014, 6691-6692/2014, are allowed to be withdrawn AND Criminal Appeal NO.1394/2013 is disposed of AND Criminal Appeal NO. 1384 of 2013 is dismissed as infructuous AND Criminal Appeal NO. 1385 of 2013 Criminal Appeal NO. 1406 of 2013, Criminal Appeal NO. 1391 of 2013, Criminal Appeal NO(s).234/2014 are allowed to be withdrawn AND Criminal Appeal NO. 1386-1387 of 2013, Criminal Appeal NO. 1395 of 2013, SLP (Cr1.)NO(s).10050-10051/2013 are dismissed AND SLP(Cr1.) NO(s).5678/2014 is detagged and to be listed independently AND SLP(Cr1.)NO.9363/2017 tag to SLP(Cr1.)NO.6165 of 2016.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER

(Signed reportable order is placed on the file)

ITEM NO.101

COURT NO.11

REVISED
SECTION II-CS U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCriminal Appeal No(s). 1393/2013

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SLP(Cr1) No. 9363/2017 (II-B)

Date : 26-04-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)/ Petitioner(s)	Mr. Vikas Singh, Sr. Adv. Mr. Md. Shahid Anwar, AOR Mr. Zulfiqar Ali Khan, Adv. Mr. Aamir Naseem, Adv.
	Mr. Vikas Singh, Sr. Adv. Mr. Md. Shahid Anwar, AOR Mr. M.C. Dhingra, Adv. Mr. Anuj Chauhan, Adv.
	Mr. Vikash Singh, Sr. Adv. Mr. Sibor Sankar Mishra, AOR Mr. M.K. Pandey, Adv. Ms. Sutapa Sarangi, Adv.
	Mr. Anupam Lal Das, AOR Mr. Anirudh Singh, Adv. Mr. Krishanu Barua, Adv.
	Mr. Rishi Malhotra, AOR
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Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER

(Corrected Signed reportable order is placed on the file)