

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

M.A.No.1987 OF 2023

IN

M.A.No.1935 OF 2022

IN

TRANSFER PETITION (CRL.)Nos.333-348 OF 2021

KETAN KANTILAL SETH

... PETITIONER

Versus

THE STATE OF GUJARAT & ORS.

... RESPONDENTS

O R D E R

1. T.P.(Cr1.)Nos.333-348/2021 were initially decided on 09.09.2022. Pursuant to I.A.No.156023/2022 and M.A.No.1935/2022, preferred by the State of Maharashtra and an intervenor, the above-stated judgment was modified on 04.08.2023 to the extent that R.C.C. No.147/2002, which was initially ordered to be transferred, was restrained before the Transferor Court with a clarification that the trial shall proceed from the stage of final arguments by the Presiding Officer uninfluenced by the directions contained in the previous order dated 09.09.2022. Similarly, the trial proceedings relating to Accused Nos.20, 23, 25, 26, 30, 31, 32 and 34, which were pending before the Transferor Court at Amravati, were ordered to be returned to the said Transferor Court with a direction to the Transferor Court to proceed from the previous stage onwards.

2. The State of Maharashtra has filed the instant application seeking further clarification of the order dated 04.08.2023 to the effect that the then Presiding Officer had heard the arguments in R.C.C.No.147/2002 and presumably prepared the draft judgment also, therefore, instead of directing the Presiding Officer to hear the arguments afresh, the order dated 04.08.2023 may be modified/clarified to the extent that the previous draft judgment may be ordered to be pronounced.

3. We were informed at the time of hearing the previous application, and which does not appear to be in dispute, that the learned Presiding Officer who had heard the arguments has since retired and a new Presiding Officer has been posted. In such circumstances, we deem it appropriate to dispose of this application with the following further directions:

(i) The learned Presiding Officer of RCC 147/2002 is directed to commence the arguments forthwith and conclude the hearing on or before 04.11.2023.

(ii) The parties are directed to extend full cooperation to the Trial Court in this regard. No adjournment shall be sought and the arguments shall be completed within the time line as may be fixed by the Presiding Officer.

(iii) Learned Presiding Officer shall pronounce the judgment preferably within two weeks after conclusion of the arguments, but in no circumstances later than 30.11.2023.

4. As a result, the pending interlocutory applications also stand disposed of.

.....J.
(SURYA KANT)

.....J.
(J.K. MAHESHWARI)

NEW DELHI;
OCTOBER 16, 2023.

ITEM NO.301

COURT NO.5

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Miscellaneous Application No.1987/2023 in MA 1935/2022 in T.P.
(Cr1.) Nos.333-348/2021

KETAN KANTILAL SETH

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ORS.

Respondent(s)

(FOR ADMISSION and IA No.184709/2023-STAY APPLICATION and IA
No.184705/2023-MODIFICATION
IA No.184705/2023 - MODIFICATION
IA No.184709/2023 - STAY APPLICATION)

Date : 16-10-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Gopal Shankar Narayan, Sr. Adv.
Mr. Ayush Sharma, AOR

For Respondent(s) Mr. Tushar Mehta, Solicitor General
Mr. Rajan Kr.chourasia, Adv.
Mr. Sanjay Kr.tyagi, Adv.
Mr. Rajat Nair, Adv.
Mr. Pratyush Shrivastava, Adv.
Dr. Arun Kumar Yadav, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Aneesh Mittal, AOR
Mr. Mohd. Zahid Hussain , AOR

Mr. Tushar Mehtra, Solicitor General
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

Ms. Jaikriti S. Jadeja, AOR

Ms. Mahalakshmi Pavani, Sr. Adv.
Mr. Siddharth Jain, AOR
Mr. Neeleshwar Pavani, Adv.
Ms. Shaurya Mishra, Adv.

Mr. Aakarsh Garg, Adv.
 Mr. T.N. Durga Prasad, Adv.
 Mr. Yudhishir Bharadwaj, Adv.
 Ms. Jyoti Sharma, Adv.
 Mr. Anoop Kumar, Adv.

Ms. Kavita Jha, AOR
 Ms. Kavita Jha, Adv.
 Mr. Vaibhav Kulkarni, Adv.
 Mr. Aditeya Bali, Adv.

Mr. Nitin S. Tambwekar, Adv.
 Mr. Seshatalpa Sai Bandaru, AOR

Mr. Pranab Prakash, AOR

M/S. Tas Law, AOR

Ms. Swati Ghildiyal, AOR
 Ms. Devyani Bhatt, Adv.

Mr. Sunil Fernandes, AOR

Mohd. Zahid Hussain, Adv.
 Mr. C. Iqbal, Adv.

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

1. Miscellaneous Application stands disposed of in terms of the signed order.
2. As a result, the pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
 DEPUTY REGISTRAR

(PREETHI T.C.)
 COURT MASTER (NSH)
 (Signed order is placed on the file)