



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S).2743 OF 2024
(ARISING OUT OF S.L.P. (CRIMINAL) NO(S).6954/2024)

KRISHNA DAMANI

APPELLANT(S)

VERSUS

STATE OF WEST BENGAL

RESPONDENT(S)

O R D E R

Leave granted.

Heard the learned senior counsel appearing for the parties.

A perusal of the counter affidavit filed by the respondent-State shows that investigation has been complete and a charge-sheet has been filed on 1st April, 2024 for the offences punishable under Sections 120B, 406, 403, 408, 409, 420 and 477A of the Indian Penal Code, 1860 (for short, "the IPC"). It is also mentioned that a supplementary charge-sheet will be filed as soon as a report of the experts of QDEB is received. It is stated that the supplementary charge-sheet will be on applicability of Section 467 of the IPC.

It is not in dispute that all the aforesaid offences are triable by the Court of the Magistrate. After the charge-sheet is filed, considering the nature of the offences, there is no reason to deny bail to the appellant. If there is any apprehension that the appellant may try to influence the prosecution witnesses, appropriate conditions can be always imposed while releasing the appellant on bail.

Accordingly, we direct that the appellant shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellant on bail on

VERDICTUM.IN

appropriate terms and conditions. The learned Public Prosecutor shall be heard before fixing the terms and conditions.

The Appeal is accordingly allowed.

.....J.
(ABHAY S. OKA)

.....J.
(SATISH CHANDRA SHARMA)

NEW DELHI;
MAY 27, 2024.

VERDICTUM.IN

ITEM NO.37

COURT NO.2

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6954/2024

(Arising out of impugned final judgment and order dated 03-05-2024 in CRM(DB) No. 1205/2024 passed by the High Court of Calcutta)

KRISHNA DAMANI

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(FOR ADMISSION and IA No.116995/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 27-05-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

(VACATION BENCH)

For Petitioner(s) Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Mukul Rohatgi, Sr. Adv.
Mr. Mahesh Jethmalani, Sr. Adv.
Mr. Sameer Rohatgi, Adv.
Ms. Gunjan Mangla, Adv.
Ms. Pritha Basu, Adv.
Mr. Ashish Choudhury, AOR
Mr. Akash Agarwal, Adv.
Mr. Debartha Chakravorty, Adv.

For Respondent(s) Mr. Siddharth Agarwal, Sr. Adv.
Mr. Arshdeep Singh, Adv.
Mr. Ankur Chawla, Adv.
Mr. Kunal Vajani, Adv.
Mr. Sanjiv Kumar Trivedi, Adv.
Mr. Somopriyo Chowdhury, Adv.
Mr. Rohit Bharadwaj, Adv.
Mr. Kartikey Bhatt, Adv.
Mr. Shubhang Tandon, Adv.
Ms. Mahima Cholera, Adv.
Ms. Shraddha Chirania, Adv.
Mr. Kunal Mimani, AOR

Ms. Menaka Guruswamy, Sr. Adv.
Ms. Astha Sharma, AOR
Mr. Srisatya Mohanty, Adv.

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Mr. Sanjeev Kaushik, Adv.
Mr. Utkarsh Pratap, Adv.
Mr. Lavkesh Bhamhani, Adv.
Ms. Suvangana Agarwal, Adv.
Mr. Bhanu Mishra, Adv.

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

Leave granted.

The Appeal is allowed in terms of the signed order. The operative portion of the order reads thus:

“Accordingly, we direct that the appellant shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellant on bail on appropriate terms and conditions. The learned Public Prosecutor shall be heard before fixing the terms and conditions.

The Appeal is accordingly allowed.”

Pending application stands disposed of accordingly.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

[THE SIGNED ORDER IS PLACED ON THE FILE]