

ITEM NO.2+3+4 Court 3 (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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).24646/2020

(Arising out of impugned final judgment and order dated 09-11-2020 in CRLAS No. 4278/2020 passed by the High Court of Judicature at Bombay)

ARNAB MANORANJAN GOSWAMI

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

WITH

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 24647/2020

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 24648/2020

Date : 11-11-2020 These petitions were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)

Mr. Harish Salve, Sr. Advocate
Mr. Siddharth Bhatnagar, Sr. Adv.
Mr. Abaad Ponda, Sr. Adv.
Ms. Malvika Trivedi, Adv.
Mr. Saket Shukla, Adv.
Mr. Vasanth Rajasekaran, Adv.
Mr. Mrinal Ojha, Adv.
Mr. Debarshi Dutta, Adv.
Mr. Rajat Pradhan, Adv.
Mr. Biswadeep Chakravorty, Adv.
Ms. Madhavi Doshi, Adv.
Mr. Sanjeev Sambasivan, Adv.
Mr. Siddhant Kumar, Adv.
Ms. Kajri Roy, Adv.
Ms. Chetna N. Rai, Adv.
Ms. Sheena Iype, Adv.
Mr. Nirnimesh Dube, AOR

Mr. Gopal Sankaranarayanan, Senior Advocate
Ms. Rashi Bansal, AOR
Ms. Esha Bhadoria, Advocate
Mr. Sameer Singh, Advocate

Mr. Mukul Rohtagi, Senior Advocate
Mr. Vijay Agarwal, Advocate

Mr. Mahesh Agarwal, Advocate
 Mr. Gaurav Kejriwal AOR
 Mr. Ishwar Nankni, Adv.
 Mr. Aditya Kanodia, Advocate
 Mr. Samir Ali Khan, Advocate
 Mr. Mudit Jain, Advocate
 Mr. Rahul Agarwal, Adv.
 Mr. Nishant Rao, Advocate
 Mr. Ankit Kohli, Advocate

For Respondent(s) Mr. Kabil Sibal, Sr. Adv.
 Mr. Amit Desai, Sr. Adv.
 Mr. Devdatta Kamat Sr. Adv.
 Mr. Rahul Chitnis Adv.
 Mr. Sachin Patil, AOR
 Mr. Dipak Thakre, Adv.
 Mr. Hemant Shah, Adv.
 Mr. Geo Joseph, Adv.

Mr. C. U. Singh, Sr. Adv.
 Mr. F. I. Choudhury, AOR
 Mr. Noor Ul Islam, Adv.
 Mr. Vaibhav Karnik, Adv.

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

- 1 Leave granted.
- 2 We have heard Mr Harish Salve, Mr Mukul Rohatgi, Mr Siddharth Bhatnagar and Mr Gopal Sankaranarayanan, learned Senior Counsel appearing on behalf of the appellants.
- 3 Mr Kapil Sibal, learned Senior Counsel appears on behalf of the State of Maharashtra, Mr Amit Desai, learned Senior Counsel appears on behalf of the second respondent and Mr C U Singh, learned Senior Counsel appears on behalf of the fifth respondent.
- 4 Mr Tushar Mehta, learned Solicitor General appears on behalf of the Union of India.

- 5 The third respondent, namely, the Commissioner of Police, Mumbai need not be served separately having regard to the appearance by Mr Kapil Sibal and Mr Amit Desai, respectively, for the State and for the investigating officer.
- 6 Arguments have been heard during the course of the day.
- 7 The appeals before this Court arise from the order of the Division Bench of the High Court of Judicature at Mumbai dated 9 November 2020, by which the applications for the grant of the interim bail moved by the appellants pending the disposal of their writ petitions have been rejected.
- 8 The submissions of the learned counsel appearing on behalf of the rival contesting parties would be evaluated in the judgment for which reasons shall follow. The judgment is reserved.
- 9 We are of the considered view that the High Court was in error in rejecting the applications for the grant of interim bail. We accordingly order and direct that Arnab Manoranjan Goswami, Feroz Mohammad Shaikh and Neetish Sarda shall be released on interim bail, subject to each of them executing a personal bond in the amount of Rs 50,000 to be executed before the Jail Superintendent. They are, however, directed to cooperate in the investigation and shall not make any attempt to interfere with the ongoing investigation or with the witnesses.
- 10 The concerned jail authorities and the Superintendent of Police, Raigad are directed to ensure that this order is complied with forthwith.
- 11 A certified copy of this order shall be issued during the course of the day.

(SANJAY KUMAR-I)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR