

ITEM NO.301

Virtual Court 4

SECTION XVII-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

Civil Appeal No.10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

WITH IA Nos.57718/2020 & 57741/2020 in SLP(Cr1) Nos.5978-5979/2017
(With appln(s) for interim bail and exemption from filing affidavit)

Date : 07-07-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

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Ms. Neeha Nagpal, Adv.

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

IA No 57718/2020 in SLP (Cr1) Nos 5978-5979/2017

- 1 This application for interim bail has been filed by Sanjay Chandra, who is in custody since 17 August 2017. The ground on which interim bail has been sought is that the parents of the applicant, who are 81 years and 78 years of age respectively, have tested positive for Covid-19.
- 2 Mr Mukul Rohatgi, learned senior counsel appearing for the applicant submits that the father of the applicant, Mr Ramesh Chandra, was hospitalized at Sitaram Bhartia Hospital, but has since been shifted to and is in the ICU at MAX Hospital. Mr Rohatgi states that the mother of the applicant, Dr Pushpa Chandra, who is a gynecologist, has also tested positive for Covid-19 and is presently hospitalized at MAX Hospital. Interim bail has been sought having regard to the condition of the parents of the applicant. The applicant has stated that his spouse is presently abroad and has been unable to return due to the lock down. The brother of the applicant, Ajay Chandra, is also in judicial custody.
- 3 Besides Mr Rohatgi who appears on behalf of the applicant, we have heard Mr K M Natraj, learned Additional Solicitor General for the NCT of Delhi and Mr M L Lahoty, learned counsel for the intervenors.

- 4 Having heard learned counsel, we are of the view that a case for the grant of interim bail has been made out on humanitarian grounds since both the parents of the applicant have tested positive for Covid-19 and having regard to their advanced age. This order is being passed only on the basis of these facts and circumstances.
- 5 We accordingly direct that the applicant, Sanjay Chandra, shall be released on interim bail for a period of thirty days from the date of his actual release, subject to the following conditions:
 - (i) The passport of the applicant shall be deposited with the trial court;
 - (ii) The applicant shall report on every Sunday before the nearest local police station;
 - (iii) The applicant shall furnish bail bonds of Rs 1 lakh to the satisfaction of the trial court; and
 - (iv) The applicant shall surrender immediately on the expiry of the period of thirty days specified above.
- 6 The interlocutory application shall accordingly stand disposed of.
- 7 Pending applications, if any, stand disposed of.

IA No 57741/2020 in SLP (Cr1) Nos 5978-5979/2017

- 1 In view of the fact that interim bail has been granted in IA No 57718/2020 in SLP (Cr1) Nos 5978-5979/2017, Mr Mukul

Rohatgi, learned senior counsel appearing on behalf of the applicant states that the present application is being withdrawn at this stage.

- 2 The interlocutory application is accordingly dismissed as withdrawn.

Civil Appeal No.10856/2016 and SLP(Crl) Nos.5978-5979/2017

List IA Nos 59883/2020, 100828/2019, 118412/2019 and 118418/2019 in Civil Appeal No 10856/2016 and IA Nos 26041/2020, 78211/2017 and 77829/2017 in SLP(Crl) Nos 5978-5979/2017 along with letter dated 14 May 2020 of Amicus Curiae regarding *pro rata* distribution to senior citizens FD holders, on 23 July 2020.

(CHETAN KUMAR)
AR-cum-PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR