

ITEM NO.46

COURT NO.6

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 S

Petition for Special Leave to Appeal (Crl.) No.4763/2024

(Arising out of impugned final judgment and order dated 24-01-2024 in WPCRL No. 233/2024 passed by the High Court Of Delhi at New Delhi)

HARPREET SINGH

Petitioner(s)

VERSUS

STATE (GOVT OF NCT OF DELHI)

Respondent(s)

(IA No.81641/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 06-09-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. Amarjeet Singh, AOR

For Respondent(s) Mrs. Aishwariya Bahti, A.S.G.  
Mr. Mukesh Kumar Maroria, AOR  
Mrs. Suhashini Sen, Adv.  
Mr. Rajesh Kumar Singh, Adv.  
Mr. Subhranshu Padhi, Adv.  
Mrs. Archana Pathak Dave, Adv.  
Mr. Vaibhav Dwivedi, Adv.  
Mr. Gaurang Bhushan, Adv.

Mr. Sumer Singh, Adv.  
Mr. Sidhant Saraswat, Adv.  
Mr. Surya Pratap, Adv.  
Mr. Arjun Singh, Adv.  
Mr. Amarjeet Singh, Adv.  
Mr. Akshay Amritanshu, AOR

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

There are orders passed by this Court directing the State Government to take a decision on the issue of grant of permanent

remission to the petitioner.

Today, the learned ASG appearing for the Delhi Government has invited our attention to provisions of sub-Section 4 of Section 45 (I) of the Government of National Capital Territory of Delhi Act, 1991 as amended by Act No.19 of 2023.

It is contended that in the view of the expressed provisions of Clause (i) and (vii) of Section 45(I), the proposal for consideration of the case of the petitioner cannot be forwarded to the Hon'ble Lieutenant Governor unless the file is placed before the Hon'ble Chief Minister who is detained as an under Trial Prisoner.

The State will have to address us on the question whether there is any prohibition on Hon'ble the Chief Minister dealing with the files of cases while he is detained in custody.

To enable learned ASG appearing for the State to take instructions and address the Court, list on 23<sup>rd</sup> September, 2024.

Interim relief granted earlier by this Court to continue till further orders.

(KAVITA PAHUJA)  
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)  
COURT MASTER (NSH)