



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.3140/2023
[@ SLP [CRL.] NO.6921/2023]**

AMARJEET SHARMA

Appellant(s)

VERSUS

SERIOUS FRAUD INVESTIGATION OFFICE

Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for parties.

Learned ASG fairly states that two aspects penned down in our order dated 02.09.2023 have been accurately recorded i.e. 14 months (now 15) from filing of charge sheet, the charges have not been framed and 57 out of the 92 accused have either been enlarged on bail or have received protective orders.

Learned Additional Solicitor General's submission is that the large number of accused and the multiple applications filed by them are proving to be impediment in framing of charges. In our view, that is an aspect to be controlled by the trial Court.

We may also state that as per learned ASG, one of the aspects which delays the trial is this strategy of the accused asking for un-relied documents and that itself takes time. It is his view

that this aspect is covered in his favour.

If that be the position, it is always open for the prosecution to argue this aspect before the trial Court as to what should be the approach of the trial Court in aspect of supply of documents.

In this behalf learned ASG has referred to the judgment of this Court in *State of Orissa v. Debendra Nath Padhi*- (2005) 1 SCC 568. However, we may note the submission of Mr. Kapil Sibal, learned senior counsel that according to him sometimes un-relied upon documents are required for the purpose of seeking discharge/bail.

The position, is naturally disputed by learned ASG.

Insofar as the factual scenario in the present case is concerned, we are of the view that looking to the facts set out in the earlier order, the appellant is entitled to bail on terms and conditions to the satisfaction of the trial Court.

Apart from any other condition(s), the following conditions must also be imposed:

- "a) The Passport of the appellant should be deposited in the trial Court;
- b) In case the appellant seeks to travel abroad, he will apply to the trial Court for the said purpose;
- c) Out of the two sureties, one surety will be given by a blood relation of the appellant."

The appeal is accordingly disposed of.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[SUDHANSHU DHULIA]

**NEW DELHI;
OCTOBER 10, 2023.**

ITEM NO.1

COURT NO.2

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(s) for Special Leave to Appeal (CrI.) No(s). 6921/2023

(Arising out of impugned final judgment and order dated 03-11-2022
in BA No. 2707/2022 passed by the High Court Of Delhi At New Delhi)

AMARJEET SHARMA

Petitioner(s)

VERSUS

SERIOUS FRAUD INVESTIGATION OFFICE

Respondent(s)

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

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Sidharth Aggarwal, Sr. Adv.
Ms. Ranjana Roy Gawai, Adv.
Mr. Ujjwal Jain, Adv.
Ms. Shambhavi Kashyap, Adv.
Ms. Rupali Samuel, Adv.
Ms. Rudrali Patil, Adv.
Mr. Vijay Poonia, Adv.
Mr. Vineet Wadhwa, Adv.
Ms. Divya Roy, AOR

For Respondent(s) Mr. Suryaprakash V Raju, A.S.G.
Mrs. Swati Ghildiyal, Adv.
Mr. Zoheb Hussain, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Arvind Kumar Sharma, AOR

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

Leave granted.

The appellant is granted bail in terms of the signed order.

The appeal is disposed of.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS(POONAM VAID)
COURT MASTER (NSH)

[Signed order is placed on the file]