

ITEM NO.6

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No. 26692/2024

(Arising out of impugned final judgment and order dated 26-04-2024 in CRMPM No. 102/2024 passed by the High Court of Himachal Pradesh at Shimla)

ONYEKA SAMUEL

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.173435/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.173436/2024-EXEMPTION FROM FILING O.T. and IA No.173437/2024-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 12-08-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Ankur Jain, Adv.
Mr. Varun Mishra, Adv.
Mr. Maneesh Bhardwaj, Adv.
Mr. Aniruddha Singh Rajavat, Adv.
Mr. Sanchit Jain, Adv.
Mr. Prashant Saxena, Adv.
Mr. Prablin Singh Abrol, Adv.
Mr. Pankaj Kumar, Adv.
Mr. Anubhav, AOR

For Respondent(s)

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

Delay condoned.

We have some reservations about the observations made by the High Court on grant of bail to a non-citizen. However, otherwise, we are not inclined to interfere with the impugned judgment/order

and hence, the present special leave petition is dismissed.

We request the trial court to take up the chargesheet for hearing and trial expeditiously.

We clarify that in case of a change in circumstances, or if the trial is prolonged due to reasons not attributable to the petitioner, it will be open to the petitioner, Onyeka Samuel, to file a fresh application for grant of bail. If any such application is filed, the same will be considered and decided in accordance with law.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR