

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRIMINAL) NO.301 OF 2019

SANCHIT ALAGH & ANR.

Petitioners

VERSUS

UNION OF INDIA & ORS.

Respondents

O R D E R

This petition filed under Article 32 of the Constitution of India prays for following reliefs:

- "a. Issue a writ of mandamus or any other appropriate writ, order or direction thereby directing the Respondent No. 5 to investigate into all the offences alleged against the Petitioners in (i) FIR No. 35 of 2018, dated 06.03.2018, P.S. EOW, Delhi; (ii) FIR No.124/2018 dated 24.04.2018, P.S. Central Sector-17, Chandigarh; (iii) FIR No.60 of 2018, dated 29.01.2018, P.S. Prashant Vihar, Rohini, Delhi; (iv) FIR No.61 of 2018, dated 15.05.2018, P.S. Special Cell, Delhi; (v) FIR No.142 of 2018, dated 26.05.2018, P.S. Crime Branch, Delhi; (vi) FIR No. 181 of 2018, dated 15.03.2018, P.S. Nigdi, Pune; (vii) FIR No.28 of 2018, dated 13.01.2018, P.S. Dattawadi, Pune and (viii) FIR No. 231 of 2018, dated 16.06.2018, P.S. Khadakpada, Thane and other FIRs not in**

the knowledge of the Petitioners, involving identical allegations; and

- b. Grant anticipatory bail to the Petitioner No.1 in the event of his arrest by the any of the Respondent states and Departments in relation to (i) FIR No. 35 of 2018, dated 06.03.2018, P.S. EOW, Delhi; (ii) FIR No.231 of 2018, dated 16.06.2018, P .S. Khadakpada, Thane; (iii) FIR No.61 of 2018, dated 15.05.2018, P.S. Special Cell, Delhi; (iv) FIR No.142 of 2018, dated 26.05.2018, P.S. Crime Branch, Delhi; (v) FIR No.181 of 2018, dated 15.03.2018, P.S. Nigdi, Pune and (vi) FIR No.28 of 2018, dated 13.01.2018, P.S. Dattawadi, Pune; and any other FIRs not in the knowledge of Petitioner that come to the knowledge of this Hon'ble Court or the Petitioner during the pendency of this writ petition.
- c. Grant anticipatory bail to the Petitioner No.2 u/s. 438 of Cr.P.C. in the event of his arrest by the any of the Respondent States or Departments in relation to (i) FIR No.35 of 2018, dated 06.03.2018, P.S. EOW, Delhi; (ii) FIR No.124/2018 dated 24.04.2018, P.S. Central Sector-17, Chandigarh; (iii) FIR No.60 of 2018, dated 29.01.2018, P.S. Prashant Vihar, Rohini, Delhi; (iv) FIR No.61 of 2018, dated 15.05.2018, P.S. Special Cell, Delhi; (v) FIR No. 142 of 2018, dated 26.05.2018, P.S. Crime Branch, Delhi; (vi) FIR No. 181 of 2018, dated 15.03.2018, P.S. Nigdi, Pune; (vii) FIR No.28 of 2018, dated 13.01.2018, P.S. Dattawadi, Pune and (viii) FIR No. 231 of 2018, dated 16.06.2018, P.S. Khadakpada, Thane and any other unknown FIRs that come to the knowledge of this Hon'ble Court or the Petitioner during the pendency of this writ petition.

- d. Stay the proceedings against the Petitioners emanating from (i) FIR No.35 of 2018, dated 06.03.2018, P.S. EOW, Delhi; (ii) FIR No.124/2018 dated 24.04.2018, P.S. Central Sector-17, Chandigarh; (iii) FIR No.60 of 2018, dated 29.01.2018, P.S. Prashant Vihar, Rohini, Delhi; (iv) FIR No.61 of 2018, dated 15.05.2018, P.S. Special Cell, Delhi; (v) FIR No.142 of 2018, dated 26.05.2018, P.S. Crime Branch, Delhi; (vi) FIR No. 181 of 2018, dated 15.03.2018, P.S. 'Nigdi, Pune; (vii) FIR No.28 of 2018, dated 13.01.2018, P.S. Dattawadi, Pune and (viii) FIR No.231 of 2018, dated 16.06.2018, P.S. Khadakpada, Thane and any other FIRs not in the knowledge of the Petitioners, involving identical allegations, until the investigation is handed over to the Respondent No. 5 in terms of the prayer (a) of the present Writ Petition."

This Court issued notice on 15.11.2019 and granted anticipatory bail during the pendency of consideration of this writ petition. Pursuant to notice, affidavits in response have been filed on behalf of Union of India and the Central Bureau of Investigation. The affidavits indicate that the investigations in individual matters were and are being conducted and in accordance with law.

Having gone through the facts and circumstances on record, in our view, no case is made out for interference by this Court and for transferring the investigation to the Central Bureau of Investigation.

We, therefore, see no reason to entertain this petition.

Mr. Deepak Prakash, learned Advocate for the petitioners submits that after the interim order was passed by this Court, orders have been passed in favour of the petitioners granting regular bail. If that be so, the petitioners can avail the benefit in terms of such orders; otherwise, the petitioners shall have to take steps in a manner known to law to prefer appropriate applications for bail, if so advised. Needless to say that the matters shall be considered on their own merits, at every stage.

With these observations, the instant writ petition is disposed of.

.....J.
(UDAY UMESH LALIT)

.....J.
(S. RAVINDRA BHAT)

.....J.
(PAMIDIGHANTAM SRI NARASIMHA)

New Delhi;
March 28, 2022.