

Y. LAKSHMANA RAO,  
REGISTRAR (JUDICIAL)



AMARAVATI,  
Dt:27.10.2021.

ROC No. 114-A/JUDL/2021



To  
All the Unit Heads in the State of Andhra Pradesh.

Sir/Madam,

As directed, I am herewith communicating the order dated 07.10.2021 of the Hon'ble Supreme Court in *Satender Kumar Antil vs. Central Bureau of Investigation and another* in SLP (CrI) No.5191 of 2021 and further requested to circulate copy of the order to all the Officers/Courts working in Your Unit, for compliance of the directions of the Hon'ble Supreme Court, scrupulously, without any deviation.

*3/2 etc*  
*Communicate to all courts*  
*29.10.21*  
REGISTRAR (JUDICIAL)  
PRINCIPAL DISTRICT COURT, EAST GODAVARI AT RAJAMAHENDRAVARAM  
DATED - 30.08.2022

Communicated to all the Judicial Officers in the Unit of East Godavari District for compliance with the direction issued by the Hon'ble Supreme Court of India, scrupulously without any deviation and requested to download the order copy of the Hon'ble Supreme Court passed in "*Satender Kumar Antil Versus Central Bureau of Investigation & another*" in Special Leave Petition (CrI.)No.5191 of 2021.

*20/5893*  
*30-8-2022*

*P. V. 7071*  
DISTRICT JUDGE  
*30/8/22*

To  
All the Judicial Officers working in the Unit including the Secretary, District Legal Services Authority, Rajamahendravaram.

Copy to the Superintendent (Translator), Rajamahendravaram.

Copy to the System Officer-In-charge is directed to upload the order copy in the District Court website in East Godavari at "Circular Notice".

29  
All Communications Should be  
Addressed to Registrar by  
Designation and not by Name.  
Pin Code - 110001

6  
**Delivery Mode: Registered**

D. No. 15509/2021 /SEC-II  
SUPREME COURT OF INDIA  
NEW DELHI  
09th October, 2021

35 276  
From: The Assistant Registrar,  
Supreme Court of India, New Delhi.

To,

\*1 THE REGISTRAR,  
HIGH COURT OF JUDICATURE AT  
ALLAHABAD,  
DISTRICT- ALLAHABAD, UTTAR  
PRADESH  
(REF: CRL. MISC. ANTICIPATORY BAIL  
NO. 7598 OF 2021)

PID: 118386/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

2 THE REGISTRAR,  
HIGH COURT OF ANDHRA PRADESH,  
AMARAVATI,  
DISTRICT- HYDERABAD, ANDHRA  
PRADESH

PID: 118387/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

3 THE REGISTRAR,  
HIGH COURT OF BOMBAY,  
DISTRICT- MUMBAI, MAHARASHTRA

PID: 118388/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

4 THE REGISTRAR,  
HIGH COURT AT CALCUTTA,  
DISTRICT- KOLKATA, WEST BENGAL

PID: 118389/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

5 THE REGISTRAR,  
HIGH COURT OF CHHATTISGARH,  
DISTRICT- BILASPUR, CHHATTISGARH

PID: 118390/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

6 THE REGISTRAR,  
HIGH COURT OF DELHI,  
DISTRICT- NEW DELHI, DELHI

PID: 118391/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

7 THE REGISTRAR,  
GAUHATI HIGH COURT,  
DISTRICT- GUWAHATI, ASSAM

PID: 118392/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

8 THE REGISTRAR,  
HIGH COURT OF GUJARAT,  
DISTRICT- AHMEDABAD, GUJARAT

PID: 118393/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

9 THE REGISTRAR,  
HIGH COURT OF HIMACHAL PRADESH,  
DISTRICT- SHIMLA, HIMACHAL  
PRADESH

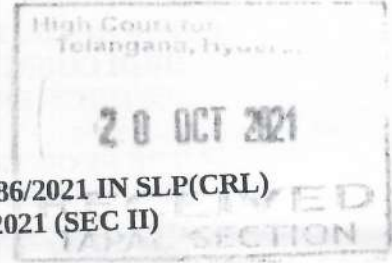
PID: 118394/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

10 THE REGISTRAR,  
HIGH COURT OF JAMMU AND KASHMIR  
AND LADAKH,  
DISTRICT- SRINAGAR, JAMMU &  
KASHMIR

PID: 118395/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

11 THE REGISTRAR,  
HIGH COURT OF JHARKHAND,

PID: 118396/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)



DISTRICT- RANCHI, JHARKHAND

- 12 THE REGISTRAR,  
HIGH COURT OF KARNATAKA,  
DISTRICT- BANGALORE, KARNATAKA  
PID: 118397/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 13 THE REGISTRAR,  
HIGH COURT OF KERALA,  
DISTRICT- ERNAKULAM, KERALA  
PID: 118398/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 14 THE REGISTRAR,  
HIGH COURT OF MADHYA PRADESH,  
DISTRICT- JABALPUR, MADHYA  
PRADESH  
PID: 118399/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 15 THE REGISTRAR,  
MADRAS HIGH COURT,  
DISTRICT- CHENNAI, TAMIL NADU  
PID: 118400/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 16 THE REGISTRAR,  
HIGH COURT OF MANIPUR AT IMPHAL,  
DISTRICT- IMPHAL ~~EAST~~, MANIPUR  
PID: 118401/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 17 THE REGISTRAR,  
HIGH COURT OF MEGHALAYA,  
DISTRICT- ~~EAST GARO HILLS~~, SHILLONG,  
MEGHALAYA  
PID: 118402/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 18 THE REGISTRAR,  
HIGH COURT OF ORISSA,  
DISTRICT- CUTTACK, ORISSA  
PID: 118403/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 19 THE REGISTRAR,  
HIGH COURT OF JUDICATURE AT PATNA,  
DISTRICT- PATNA, BIHAR  
PID: 118404/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 20 THE REGISTRAR,  
HIGH COURT OF PUNJAB AND HARYANA,  
DISTRICT- CHANDIGARH, CHANDIGARH  
PID: 118405/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 21 THE REGISTRAR,  
HIGH COURT OF RAJASTHAN,  
DISTRICT- JODHPUR, RAJASTHAN  
PID: 118406/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 22 THE REGISTRAR,  
HIGH COURT OF SIKKIM, GANGTOK,  
DISTRICT- ~~EAST~~, SIKKIM  
PID: 118407/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 23 THE REGISTRAR,  
HIGH COURT FOR THE STATE OF  
TELANGANA,  
DISTRICT- HYDERABAD, TELANGANA  
PID: 118408/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 24 THE REGISTRAR,  
HIGH COURT OF TRIPURA, AGARTALA,  
DISTRICT- ~~COMPTON~~, TRIPURA  
PID: 118409/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)
- 25 THE REGISTRAR,  
HIGH COURT OF UTTARAKHAND AT  
NAINITAL,  
DISTRICT- NAINITAL, UTTARAKHAND  
PID: 118410/2021 IN SLP(CRL)  
NO.5191/2021 (SEC II)

**SPECIAL LEAVE PETITION (CRIMINAL) No. 5191 OF 2021**

(From the Judgment and Order dated the **01st July, 2021** of the **HIGH COURT OF JUDICATURE AT ALLAHABAD, , UTTAR PRADESH** in **CRMABA No. 7598 of 2021**)

SATENDER KUMAR ANTIL

Petitioner(s)/Appellant(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION &  
ANR.

... Respondent(s)

Sir,

\* In continuation of this registry's letter dated 28.07.2021 and 16.09.2021, please find enclosed herewith a certified copy of this Hon'ble Court's Record of Proceeding/Order/Judgment dated **07th October, 2021**, passed in the matter above mentioned, along with schedule containing full cause title of the parties, for necessary action.

You are requested to communicate this order to respective benches of high court and concerned trial courts for necessary compliance.

Please acknowledge receipt.

Yours faithfully,

*Mank*  
21-10-2021

ASSISTANT REGISTRAR

Copy to :-

- 1 Mr. Akbar Siddique (adv.)  
c-15, Basement, Nizamuddin East, New Delhi 110013  
New Delhi , Delhi
- 2 Mr. Arvind Kumar Sharma (adv.)  
207-b Phase Ii Pocket A Mayur Vihar Delhi-91  
New Delhi , Delhi

ASSISTANT REGISTRAR



Mr. Vikram Chaudhri, Sr. Adv.  
Mr. Harshit Sethi, Adv.  
Mr. Keshavam Chaudhri, Adv.  
Ms. Anzu. K. Varkey, AOR  
Ms. Ria Khanna, Adv.  
Mr. Kapil Dahiya, Adv.

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

Application for intervention is allowed.

We have been provided assistance both by Mr. S.V. Raju, learned Additional Solicitor General and Mr. Sidharth Luthra, learned senior counsel and there is broad unanimity in terms of the suggestions made by learned ASG. In terms of the suggestions, the offences have been categorized and guidelines are sought to be laid down for grant of bail, without fettering the discretion of the courts concerned and keeping in mind the statutory provisions.

We are inclined to accept the guidelines and make them a part of the order of the Court for the benefit of the Courts below. The guidelines are as under :

**"Categories/Types of Offences**

- A) Offences punishable with imprisonment of 7 years or less not falling in category B & D.
- B) Offences punishable with death, imprisonment for life, or imprisonment for more than 7 years.
- C) Offences punishable under Special Acts

containing stringent provisions for bail like NDPS (S.37), PMLA (S.45), UAPA (S.43D(5), Companies Act, 212(6), etc.

D) Economic offences not covered by Special Acts.

### **REQUISITE CONDITIONS**

- 1) Not arrested during investigation.
- 2) Cooperated throughout in the investigation including appearing before Investigating Officer whenever called.

(No need to forward such an accused along with the chargesheet (Siddharth Vs. State of UP, 2021 SCC online SC 615)

### **CATEGORY A**

After filing of chargesheet/complaint taking of cognizance

- a) Ordinary summons at the 1<sup>st</sup> instance/including permitting appearance through Lawyer.
- b) If such an accused does not appear despite service of summons, then Bailable Warrant for physical appearance may be issued.
- c) NBW on failure to failure to appear despite issuance of Bailable Warrant.
- d) NBW may be cancelled or converted into a Bailable Warrant/Summons without insisting physical appearance of accused, if such an application is moved on behalf of the accused before execution of the NBW on an undertaking of the accused to appear physically on the next date/s of hearing.
- e) Bail applications of such accused on appearance may be decided w/o the accused being taken in physical custody or by granting interim bail till the bail application is decided.

**CATEGORY B/D**

On appearance of the accused in Court pursuant to process issued bail application to be decided on merits.

**CATEGORY C**

Same as Category B & D with the additional condition of compliance of the provisions of Bail under NDPS S. 37, 45 PMLA, 212(6) Companies Act 43 d(5) of UAPA, POSCO etc."

Needless to say that the category A deals with both police cases and complaint cases.

The trial Courts and the High Courts will keep in mind the aforesaid guidelines while considering bail applications. The caveat which has been put by learned ASG is that where the accused have not cooperated in the investigation nor appeared before the Investigating Officers, nor answered summons when the Court feels that judicial custody of the accused is necessary for the completion of the trial, where further investigation including a possible recovery is needed, the aforesaid approach cannot give them benefit, something we agree with.

We may also notice an aspect submitted by Mr. Luthra that while issuing notice to consider bail, the trial Court is not precluded from granting



interim bail taking into consideration the conduct of the accused during the investigation which has not warranted arrest. On this aspect also we would give our imprimatur and naturally the bail application to be ultimately considered, would be guided by the statutory provisions.

The suggestions of learned ASG which we have adopted have categorized a separate set of offences as "economic Offences" not covered by the special Acts. In this behalf, suffice to say on the submission of Mr. Luthra that this Court in *Sanjay Chandra vs.CBI, (2012) 1 SCC 40* has observed in para 39 that in determining whether to grant bail both aspects have to be taken into account:

- a) seriousness of the charge and
- b) severity of punishment.

Thus, it is not as if economic offences are completely taken out of the aforesaid guidelines but do form a different nature of offences and thus the seriousness of the charge has to be taken into account but simultaneously, the severity of the punishment imposed by the statute would also be a factor.

We appreciate the assistance given by the learned counsels and the positive approach adopted by the learned ASG.

The SLP stands disposed of and the matter

need not be listed further.

A copy of this order be circulated to the Registrars of the different High Courts to be further circulated to the trial Courts so that the unnecessary bail matters do not come up to this Court.

This is the only purpose for which we have issued these guidelines, but they are not fettered on the powers of the Courts.

Pending applications stand disposed of.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)



4-39

IN THE SUPREME COURT OF INDIA

[ORDER XXII RULE.2 (1)]

CRIMINAL APPELLATE JURISDICTION

(Under Article 136 of the Constitution of India)

SPECIAL LEAVE PETITION (CRIMINAL) NO. 5191 OF 2021

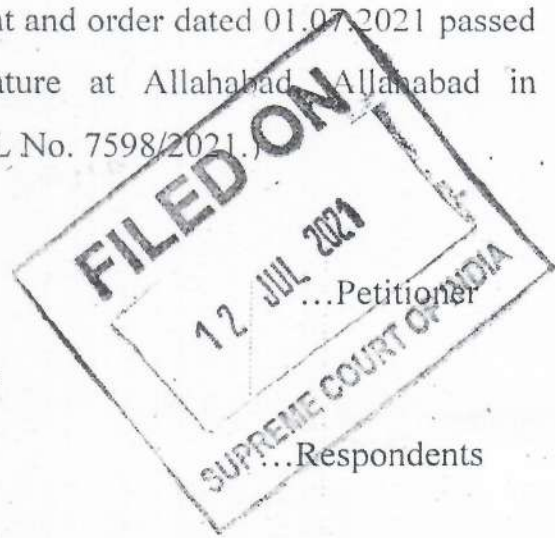
(Arising out of the Impugned final judgment and order dated 01.07.2021 passed by the Hon'ble High Court of Judicature at Allahabad, Allahabad in CRIMINAL MISC ANTICIPATORY BAIL No. 7598/2021.)

IN THE MATTER OF:

Satender Kumar Antil

Versus

CBI & Anr



POSITION OF PARTIES

BETWEEN:

BEFORE      BEFORE THIS

District	HIGH	HON'BLE
Court	COURT	COURT

Satender Kumar Antil  
R/o 563, Ground Floor  
Section 4, Vaishali, I.E  
Sahibabad, Ghaziabad,  
Uttar Pradesh 201010

Applicant      Petitioner      Petitioner

Handwritten mark or signature at the bottom right corner.

AND

5

1. Central Bureau Of Investigation  
*Through Director*  
Anti-Corruption Branch, Ghaziabad

Room No 133-139. Ist Floor

CGO, Complex, Hapur Road,

Kamala Nehru Nagar, Ghaziabad

Uttar Pradesh.

Respondent No. 1 Respondent No.1 Respondent No.1

2. Sh Ranpal Singh

S/o Amal Singh

Partner M/s Black Eagle

Security and Allied Services

R/o GG 36 SNG Plaza, Omega I

Near Pari Chowk Greater Noida.

Uttar Pradesh.

Respondent No.2 Respondent No.2

**SPECIAL LEAVE PETITION UNDER ARTICLE 136 OF THE  
CONSTITUTION OF INDIA**

To,

THE HON'BLE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUSTICE OF THE  
HON'BLE SUPREME COURT OF INDIA.