

**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,  
ROHINI COURTS: DELHI**

No. 23(own) Genl./N-W & N/RC/2022      Delhi, dated the 24/1/2022

**Sub: Order dated 16.12.2021 passed by Hon'ble Supreme Court of India in M.A. No. 1849/2021 in Special Leave to Appeal (Criminal) No. 5191 of 2021 titled "Satender Kumar Antil Vs. Central Bureau of Investigation & Anr."**

Copy of the letter bearing no. 231-243/DHC/Gaz./G-2/Judgment/2022 dated 20.01.2022 alongwith the copy of order dated 16.12.2021 passed by Hon'ble Supreme Court of India in M.A. No. 1849/2021 in Special Leave to Appeal (Criminal) No. 5191 of 2021 titled " Satender Kumar Antil Vs. Central Bureau of Investigation & Anr. " as received from the Hon'ble High Court of Delhi is being forwarded (through electronic mode) for information and necessary compliance to :-

1. All the Ld. Judicial Officers (**DHJS & DJS**), **North-West & North** District, Rohini Courts, Delhi.
2. The Personal Office, Ld. Principal District & Sessions Judge, **North-West & North** District, Rohini Courts Complex, Delhi.
3. The Dealing Official, R & I Branch, Rohini Courts, Delhi for uploading the same on LAYERS.
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( **RAKESH KUMAR-IV** )  
Additional Sessions Judge (NDPS)  
Officer In-charge, General Branch  
Rohini Courts Complex, Delhi.

**IN THE HIGH COURT OF DELHI AT NEW DELHI**

231-243

No. \_\_\_\_\_/DHC/Gaz/G-2/Judgment/2022

20th,  
Dated: \_\_ January, 2022.

From:

The Registrar General,  
High Court of Delhi,  
New Delhi-110003.

To,

1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts Complex, Delhi.
2. The Principal District & Sessions Judge (East), Karkardooma Courts Complex, Delhi.
3. The Principal District & Sessions Judge (South –West), Dwarka Courts Complex, New Delhi.
4. The Principal District & Sessions Judge (Shahdara), Karkardooma Courts Complex, Delhi.
5. The Principal District & Sessions Judge (South-East), Saket Courts complex, Delhi.
6. The Principal District & Sessions Judge (West), Tis Hazari Courts Complex, Delhi.
7. The Principal District & Sessions Judge (New Delhi), Patiala House Courts Complex, New Delhi.
8. The Principal District & Sessions Judge (North-West), Rohini Courts Complex, Delhi.
9. The Principal District & Sessions Judge (North), Rohini Courts Complex, Delhi.
10. The Principal District & Sessions Judge- Cum- Special Judge (PC Act) (CBI) Rouse Avenue Courts Complex, New Delhi.
11. The Principal District & Sessions Judge (North-East), Karkardooma Courts Complex, Delhi.
12. The Principal District & Sessions Judge (Officiating) (South), Saket Courts Complex, New Delhi.
13. The Principal Judge, Family Court (HQs), South-West, Dwarka, New Delhi.

**Sub: Order dated 16.12.2021 passed by Hon'ble Supreme Court of India in M.A No. 1849/2021 in Special Leave to Appeal (Criminal) No. 5191 of 2021 titled "Satender Kumar Antil Vs. Central Bureau of Investigation & Anr." - regarding.**

Sir/Madam,

I am directed to refer to this Court's letter No. 3963-75/DHC/Gaz/G-2/Judgment/2021, dated 30<sup>th</sup> October, 2021, and to request you to kindly download the order dated 16.12.2021 passed by Hon'ble Supreme Court of India in Miscellaneous Application No. 1849/2021 in Special Leave to Appeal (Criminal) No. 5191 of 2021 titled "Satender Kumar Antil Vs. Central Bureau of Investigation & Anr." from the official website of Supreme Court of India i.e. [supremecourtindia.nic.in](http://supremecourtindia.nic.in), and circulate the same amongst all judicial officers working under your respective control for information and necessary compliance.

Yours faithfully,

  
(Pramod Kumar)

Joint Registrar (Gazette-IB)  
for Registrar General.



ITEM NO.12+16

COURT NO.6

SECTION II

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Item No.12

Miscellaneous Application No.1849/2021 in SLP(Cr1) No.5191/2021

SATENDER KUMAR ANTIL

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION &amp; ANR.

Respondent(s)

IA NO.148421/2021- APPLICATION FOR CLARIFICATION OF ORDER DATED 07.10.2021

IA NOS.164370 &amp; 164760/2021- APPLICATIONS FOR INTERVENTION

Item No.16

MISCELLANEOUS APPLICATION Diary No(s). 29164/2021 IN SLP(Cr1) No. 5191/2021

[TO BE TAKEN UP ALONGWITH ITEM NO. 12 I.E. MA 1849/2021 in SLP(Cr1) No. 5191/2021]

IA No. 154863/2021 - CLARIFICATION/DIRECTION)

Date : 16-12-2021 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE M.M. SUNDRESH

For parties:-

Mr. Mahesh Jethmalani, Sr. Adv.

Mr. Ravi Sharma, AOR

Mr. Anjani Kumar Rai, Adv.

Mr. Sandeep Kapoor, Adv.

Mr. Wedo Khalo, Adv.

Ms. Aryan Mangla, Adv.

Mr. Anjani Kumar Rai, Adv.

Ms. Mugdha Pande, Adv.

Ms. Madhulika Rai Sharma, Adv.

Mr. Sidharth Luthra, Sr. Adv.

Mr. Akbar Siddique, AOR

Mr. Chirag Madan, Adv.

Mr. M. Fareed Siddiqui, Adv.

Mr. Shashank Gaurav, Adv.

Mr. Lakshya Mehta, Adv.

Mr. Hardik Rupal, Adv.

Mr. Rajneesh Chuni, Adv.

Mr. Vikram Choudhri, Sr. Adv.

Mr. Keshavam Choudhri, Adv.

Ms. Anzu. K. Varkey, AOR

Ms. Ria Khanna, Adv.  
 Mr. Rishi Sehgal, Adv.  
 Mr. Kapil Dahiya, Adv.

Mr. S.V. Raju, Ld. ASG  
 Mr. Annam Venkatesh, Adv.  
 Ms. Priyanka Das, Adv.  
 Mr. Udai Khanna, Adv.  
 Mr. Mohammed Akhil, Adv.  
 Mr. Ritwiz Rishabh, Adv.  
 Dr. D.V. Rao, Adv.  
 Mr. Arvind Kumar Sharma, AOR

**Intervener**

Mr. Siddharth Aggarwal, Sr. Adv.  
 Ms. Stuti Gujral, Adv.  
 Mr. Sahil Ghai, Adv.  
 Mr. Abhinav Sekri, Adv.  
 Mr. Vishwajeet Singh, Adv.  
 Ms. Rurali Patil, Adv.  
 Ms. Priyashree Sharma P.H., Adv.  
 Ms. Rushali Agarwal, Adv.  
 Mr. Syed Faraz Alam, Adv.  
 Mr. Kush Chaturvedi, AOR

**Intervener**

Mr. Amit Desai, Sr. Adv.  
 Mr. S. Mahesh Sahasranaman, Adv.  
 Mr. Arjun Garg, AOR  
 Ms. Pooja Kothari, Adv.  
 Mr. Gopal Krishna Shenoy, Adv.  
 Mr. Aakash Nandolia, Adv.  
 Ms. Sagun Srivastava, Adv.

Mr. E. C. Agrawala, AOR

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

IA NOS.164370 & 164760/2021- APPLICATIONS FOR  
 INTERVENTION

The applications are allowed.

MISCELLANEOUS APPLICATION NO.1849/2021 IN SLP(Cr1)  
 No. 5191/2021 &  
 MISCELLANEOUS APPLICATION Diary No.29164/2021 IN  
 SLP(Cr1) No. 5191/2021

Learned senior counsels for parties state



that they will endeavour to work out some of the fine tuning which is required to give meaning to the intent of our order dated 07.10.2021.

We make it clear that our intent was to ease the process of bail and not to restrict it. The order, in no way, imposes any additional fetters but is in furtherance of the line of judicial thinking to enlarge the scope of bail.

At this stage, suffice for us to say that while referring to category 'C', inadvertently, Section 45 of Prevention of Money laundering Act (PMLA) has been mentioned which has been struck down by this Court. Learned ASG states that an amendment was made and that is pending challenge before this Court before a different Bench. That would be a matter to be considered by that Bench.

We are also putting a caution that merely by categorizing certain offences as economic offences which may be non-cognizable, it does not mean that a different meaning is to be given to our order.

We may also clarify that if during the course of investigation, there has been no cause to arrest the accused, merely because a charge sheet is filed, would not be an *ipso facto* cause to arrest the petitioner, an aspect in general clarified by us in Criminal Appeal No.838/2021 -

***Siddharth v. State of Uttar Pradesh & Anr. dated  
16.08.2021.***

**List on 20.01.2022.**

**[ASHA SUNDRIYAL]  
ASTT. REGISTRAR-cum-PS**

**[POONAM VAID]  
COURT MASTER (NSH)**