(678/21/7/18)

MOST URGENT

HIGH COURT OF DELHI AT NEW DELHI

No 31364 /Crl/DHC/New Delhi

Office of the District & Sessions Judge (NW)
(Delhi High Court Seal)
Diary No. 3253
20 JUL 2018
Rohini District Court, Delhi

Dated 20/07/18

From:
The Registrar General,
High Court of Delhi,
New Delhi

To,

1. The District & Sessions Judge, Headquarters, Tis Hazari Court, Delhi
2. The District & Sessions Judge, District- Central, Tis Hazari Court, Delhi
3. The District & Sessions Judge, District- West, Tis Hazari Court, Delhi
4. The District & Sessions Judge, District, North-West, Rohini, Delhi
5. The District & Sessions Judge, District- North, Rohini Court, Delhi
6. The District & Sessions Judge, District- East, Karkardooma Court, Delhi
7. The District & Sessions Judge, District, North-East, Karkardooma Court, Delhi
8. The District & Sessions Judge, District- Shahdara, Karkardooma Court, Delhi
9. The District & Sessions Judge, District- South, Saket Court, New Delhi
10. The District & Sessions Judge, District- South-East, Saket Court, Delhi
11. The District & Sessions Judge, District- South-West, Dwarka Court, New Delhi
12. The District & Sessions Judge, District- New Delhi, Patiala House Courts, New Delhi

Subject:- Regarding requisition of original Trial Court Record from the High Court and Supreme Court of India.

Sir,

I am directed to say that Hon'ble the Acting Chief Justice of this Court, having regard to the directions issued by the Hon'ble Supreme Court in Criminal Appeal No.13-75 of 2013 titled *"Asian Resurfacing of Road Agency P. Ltd. & Anr."* (copy enclosed), has been pleased to direct that whenever original record is requisitioned by the Supreme Court or High Court, scanned/digitized/photocopy thereof may be transmitted, instead of the original, unless otherwise specifically ordered by the Court. It is further directed that the original record shall not be weeded out during the pendency of the matter till a communication regarding its disposal is received from the Court concerned.

You are further requested to issue the aforesaid directions to all the subordinate courts working under your jurisdiction.

Yours truly,

Ld. OSD (Judicial) for n.a.

Assistant Registrar (Crl)
For Registrar General

Encls: As above

...istrar, Supreme Court
...signation, NOT by
...ame

DATED : 28.04.2018

FROM:

ASSISTANT REGISTRAR
SUPREME COURT OF INDIA

TO:

1. The Registrar General,
High Court of Delhi at New Delhi
(Ref: W.P.(Crl.) No. 352 of 2010)

2. The Special Judge CBI,
Patiala House Courts, New Delhi
(Ref: CC No. 31/02 and C.C. No. (RC-2/2001-SIU-IX/CBI/New Delhi)

CRIMINAL APPEAL NOS. 1375-1376 OF 2013

ASIAN RESURFACING OF ROAD AGENCY & ANR. ...Appellant(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION ...Respondent(s)

Sir,

In pursuance of Order XX, Rule 19 of the Supreme Court Rules, 2013, I am to transmit herewith a certified copy of Signed Reportable Order dated 25.04.2018 along with memo of parties in the matter above mentioned for your information and necessary action. Original Record, if any, will be sent in due course.

Please acknowledge receipt.

Yours faithfully,

28/4/18

ASSISTANT REGISTRAR

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

(Order XVI Rule 4 (1)(a)

Crl.A. 1375-76/13

S.L.P (CRL.) No. OF 2011

(UNDER ARTICLE 136 OF THE CONSTITUTION OF INDIA)

POSITION OF THE PARTIES

BETWEEN:

	Trial Court	High Court	Supreme Court
ASIAN RESURFACING OF ROAD AGENCY P. LTD. HAVING IT'S REGISTERED OFFICE AT: M-75, GREATER KAILASH PART-I NEW DELHI-110048 THROUGH DIRECTOR	Accused No.1	Petitioner No.1	Petitioner No. 1
SHRI PREM ARORA S/O SHRI KISHAN LAL R/O M-75, GREATER KAILASH PART-I, NEW DELHI.	Accused No. 2	Petitioner No.2	Petitioner No. 2

VERSUS

			Respondent
CENTRAL BUREAU OF INVESTIGATION PLOT NO. 5-B, 6TH FLOOR, CGO COMPLEX, LODHI ROAD, NEW DELHI – 110003 THROUGH DIRECTOR	Prosecution	Respondent	

Reportable

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 1375-1376 OF 2013

ASIAN RESURFACING OF ROAD AGENCY P. LTD. AND ANR. ...Appellants

Versus

CENTRAL BUREAU OF INVESTIGATION ...Respondent

ORDER

Certified to be true copy
Asstt. Registrar
Supreme Court of India

1. Heard learned counsel for the parties.

2. In view of judgment of three Judge Bench dated 28th March, 2018 and after considering the material on record, we do not find any ground to interfere with the order framing charge.

3. Accordingly, the trial court is directed to proceed with the matter pending before it. All contentions of the parties are left open which may be gone into by the trial court. Parties are directed to appear before the trial court on 14th May, 2018.

4. To give effect to directions in judgment of this Court dated 28th March, 2018, noted above, we direct that wherever original record has been summoned by an appellate/revisional court, photocopy/scanned copy of the same may be kept for its reference and original returned to the trial courts forthwith.

5. We also direct that if in future the trial court record is summoned, the trial courts may send photocopy/scanned copy of the record and retain the original so that the proceedings are not held up. In cases where specifically original record

is required by holding that photocopy will not serve the purpose, the appellate/revisional court may call for the record only for perusal and the same be returned while keeping a photocopy/scanned copy of the same.

6. A copy of this order be sent to all the High Courts.

The appeals are disposed of.

.....J.
[Adarsh Kumar Goel]

.....J.
[Rohinton Fali Nariman]

New Delhi,
April 25, 2018.

THE SEAL OF DELHI HIGH COURT NEW DELHI

True Copy