

Vinita vs The State Of Madhya Pradesh on 31 January, 2020

Bench: Indu Malhotra, Ajay Rastogi

1

ITEM NO.39

COURT NO.15

SECTION

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (Crl.)

No(s). 1

(Arising out of impugned final judgment and order dated 05-07-2019
in CRA No. 7336/2018 passed by the High Court Of M.p At Indore)

VINITA

Petitio

VERSUS

THE STATE OF MADHYA PRADESH

Respond

(IA No. 181671/2019 - EXEMPTION FROM FILING O.T.)

Date : 31-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDU MALHOTRA

HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s)

Dr.Ajay Kumar,Adv.
Mr.Nandlal Kumar Mishra,Adv.
Ms.Ankita Agarwal,Adv.
Ms.Sandeep Mishra,Adv.
Ms.Kritya Pandey,Adv.
Mr. Kaushal Yadav, AOR
Ms.Akansha Rai,Adv.
Ms.Mamta Rani,Adv.
Mr.Pramod Kumar,Adv.
Mr.Apar Chopra,Adv.

For Respondent(s)

Mr. Harsh Parashar, AOR

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

This matter has been listed for hearing after notice.

The issue which has arisen in this case for consideration is whether in the absence of direct or primary evidence of demand, would it be permissible to draw inference of demand from the evidence of panch witnesses, by raising a presumption under Section 20 of the Prevention of Corruption Act. This issue has been referred to a larger Bench in Neeraj Dutta Vs. State (Govt. of NCT of Delhi in Criminal Appeal No.1669/2009).

Issue notice and tag with the pending Criminal Appeal No. 1669/2009.

We have been informed that the petitioner has undergone sentence over 16 months. The petitioner be enlarged on bail during the pendency of the present petition.

(SUSHMA KUMARI BAJAJ)
SENIOR PERSONAL ASSISTANT

(KAPIL SHARMA)
BRANCH OFFICER