

FIR No. 44/19

PS : Crime Branch

u/s : 420/466/467/468/471/218/219/120B IPC & 66 IT Act

State Vs. Manav Sharma

09.05.2019

Vide this order I shall dispose of the bail application moved on behalf of applicant/accused Manav Sharma.

Present: Sh. Vikas, Ld. APP for the State.

Sh. Prashant Mendiratta, Ld counsel for the applicant/accused Manav Sharma.

Reply to the bail application moved on behalf of applicant/accused filed.

Arguments on the bail application heard.

Ld counsel for the accused submits that the applicant/accused did not commit any offence as alleged and he has been in JC since 07.04.2019 and the co-accused Tapan Kumar Chakroborty has already been admitted to bail by Ld Sessions Court vide order dated 03.05.2019. Ld counsel further submitted that accused did not have any guilty intention as on realising the mistake in order dated 07.01.2019 he immediately uploaded the revised order mentioning the words *personal appearance of the alleged contemnor is not dispensed with*. Ld counsel submitted that it was not the duty of the applicant/accused herein to issue notice to the alleged contemnor as he was not posted in the Registry. Ld counsel submitted that considering the facts and circumstances, the applicant/accused may be admitted to bail.

Per contra, Ld APP for the State opposed the bail application and he submitted that though the co-accused Tapan Kumar Chakroborty has been admitted to bail, however, the applicant/accused

herein may not be admitted to bail as he mentioned the wrong words in the order. Ld APP for the State submitted that the investigation of this case is going on and the accused may tamper the evidence and he may not be admitted to bail.

In the case in hand, the applicant/accused Manav Sharma and the co-accused Tapan Kumar Chakroborty were allegedly posted as Court Masters in Hon'ble Supreme Court of India and both of them were suspended on the allegations that they were involved in preparing, signing and uploading an incorrect record of proceedings of order dated 07.01.2019 of Hon'ble Supreme Court as the Court vide that order had not exempted the personal appearance of the Contemnor for the NDOH but the applicant and the co-accused Tapan Kumar Chakroborty uploaded the false and incorrect order on the official website of the Court dispensing the personal appearance of the alleged contemnor.

Further, vide order dated 03.05.2019, Ld Sessions Court/PHC granted bail to the co-accused Tapan Kumar Chakroborty while observing that the accused has been in custody since 07.04.2019 and has been extensively interrogated and that the applicant has already been terminated from the service of Hon'ble Supreme Court and that no purpose will be served by further detaining the applicant/accused in custody. The applicant/accused Manav Sharma and the co-accused Tapan Kumar Chakroborty (who has already been granted bail) were apprehended on the similar allegations of preparing, signing and uploading an incorrect record of proceedings of order dated 07.01.2019 of Hon'ble Supreme Court and considering the facts and

circumstances and the fact that the applicant/accused has been in JC for last more than one month and his custodial interrogation is no more required by the police and the fact that the co-accused Tapan Kumar Chakroborty has already been granted bail, I am of the opinion that the applicant/accused Manav Sharma is also entitled to bail in this case at this stage. Hence, the applicant/accused Manav Sharma is hereby admitted to bail on furnishing personal bond in the sum of Rs. 50,000/- with one surety in the like amount subject to the condition that he shall join the investigation with the IO as and when required and that he shall not tamper with evidence or influence any witness in any manner whatsoever and that he shall appear before the Court on each and every date of hearing to attend the proceedings in accordance with the terms of bail bonds which would be executed by them.

Bail application stands disposed of.

Copy of this order be sent to concerned Jail Superintendent.

(Manish Khurana)
CMM/ND/Patiala House Courts
New Delhi/09.05.2019