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#BombayHighCourt begins hearing the plea filed by Arnab Goswami challenging his illegal arrest and detention by the Raigad Police in the first week of November 2020.

Bench of Justice SS Shinde and MS Karnik are hearing the matter.



Senior Advocate Aabad Ponda apprises the court of the development in the case after the passing of the Supreme Court judgment of November 27.

https://t.co/lGH4nQd6uy

Ponda submits that the chargesheet was hastily filed after the Supreme Court order so that the present plea will become infructuous.

Ponda: Justice Chandrachud's judgment is my best argument.

Ponda submits that Supreme Court observed in the order offence under Section 306 of IPC was not prima facie attracted.

Court: But that also means that the case is still open.

The observations of the SC are prima facie.

Justice Shinde asks Ponda to read the relevant portion of the order where the Supreme Court discussed on the facts of the case.

Ponda begins reading paragraph 66 of the judgment.

Court: Earlier there was lack of clarity on grant of interim bail and now with this judgment, bail can be granted under Art .226. So this will guide us.

Ponda: I am not asking for quashing the chargesheet based on SC order, but the judgment has to be respected.

Ponda interrupts the hearing to point out that the Alibaug Magistrate has taken cognizance of the chargesheet filed.

The chargesheet has been filed in the abetment to suicide case of interior designer Anvay Naik.

Ponda asks the leave of court to amend the petition so as to bring on record the chargesheet after it will be served on them by the Raigad police.

Court grants such leave.

Amendment to be carried out within 2 weeks.

Court directs that the copy of the chargesheet should be served upon Goswami at the earliest.

Senior Advocate Amit Desai arguing for the State asks for the Court to dispose off the interim application seeking directions to the Alibaug Magistrate to not take cognizance of the chargesheet till the plea is heard.

Ponda opposes such request.

Court says that they will consider this issue on the next hearing date.

Sr Adv Prasad Dhakelphalkar appearing for Nitesh Sarda intervenes and point out that he does not want to to be involved in with the high profile personalities.

Dhakephalkar: If I stay away from the high flying personalities it will be better for my case.

Dhakephalkar: These are independent transactions, and should be dealt with differently.

Court: So you do not want to amend the petition?

Dhakephalkar: NO milords.

Court: Ok so leave to amend in other petitions not in yours.