

30.09.2024

Ct: 06

Item: 44

**SECTION II-C
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 4299 OF 2024

JITENDER @ KALLA

...PETITIONER

VERSUS

STATE (GOVT. OF NCT OF DELHI) & ANR.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 02.09.2024 with office report dated 29.09.2024, when the Hon'ble Court was pleased to pass the following order:

“We have perused the Special Leave Petition and the annexures to the Application for Intervention.

The Trial Court convicted the petitioner and sentenced him to undergo actual sentence of 30 years. The High Court interfered with the said order. Thereafter, this Court by a decision in Jitendra Alias Kalla vs. State (Government of NCT of Delhi)¹ restored the judgment of the Trial Court by specifically observing that the petitioner will undergo life sentence for 30 years without remission. These facts were suppressed while filing this Special Leave Petition. Moreover, the petitioner was not a party to the petition before the Delhi High Court on which the impugned order was passed. In the synopsis, there is a specific reference to an order of conviction. However, it is not disclosed that the order of sentence was for a fixed term of 30 years. Therefore, this is a very serious and gross case of material misrepresentation made while filing the Special Leave Petition. The Advocate-on-Record for the petitioner, who filed this Special Leave Petition, owes an explanation to this Court. Therefore, the Registry to issue notice to Shri Jaydip Pati, Advocate-on-Record, which is made returnable on 30th September, 2024.

A copy of this order shall accompany the notice.

Shri Jaydip Pati, Advocate-on-Record, will explain his conduct by filing an affidavit.”

Accordingly notice along with copy of above order has been sent by email/by hand to Mr. Jaydip Pati, Advocate.

It is submitted that pursuant to order quoted above, Mr. Jaydip Pati, Advocate has on 10.09.2024 efiled affidavit in compliance of order dated

02.09.2024. Copy of separate paper book of same has been placed with SLP paper books.

It is submitted that there are two respondents in this matter and are represented through Mr. M.K. Maroria and Mr. Pranav Sachdeva, Advocates respectively, but none of them has filed counter affidavit so far.

Service of notice is complete.

The matter above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 26th day of September, 2024.

ASSISTANT REGISTRAR

COPY TO:

Mr. Ashish Pandey, Advocate

Mr. M.K. Maroria, Advocate

Mr. Pranav Sachdeva, Advocate

ASSISTANT REGISTRAR

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