

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION NO. 9973 of 2019****With****CRIMINAL MISC.APPLICATION (DIRECTION) NO. 1 of 2020****In R/SPECIAL CRIMINAL APPLICATION NO. 9973 of 2019****With****CRIMINAL MISC.APPLICATION (FOR ORDERS) NO. 1 of 2022****In R/SPECIAL CRIMINAL APPLICATION NO. 9973 of 2019**=====
  
**JANARDHANA RAMKRISHNA SHARMA****Versus****STATE OF GUJARAT**
=====**Appearance:**

PRITESH M SHAH(8405) for the Applicant(s) No. 1  
 KSHITIJ M AMIN(7572) for the Respondent(s) No. 10  
 MR. RAHUL R DHOLAKIA(6765) for the Respondent(s) No. 7  
 NOTICE NOT RECD BACK for the Respondent(s) No. 8,9  
 NOTICE SERVED BY DS for the Respondent(s) No. 2,3,4,5  
 PUBLIC PROSECUTOR for the Respondent(s) No. 1  
 SERVED BY AFFIX(N) for the Respondent(s) No. 6

=====
**CORAM:HONOURABLE MR. JUSTICE N.V.ANJARIA****and****HONOURABLE MR. JUSTICE NIRAL R. MEHTA****Date : 06/02/2023****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE N.V.ANJARIA)**

WEB COPY

In view of the order dated 12.01.2023 passed by the Court, learned advocate Mr. Kshitij Amin for respondent Union of India seeks to file affidavit in reply. He stated that the same will be filed in the Registry. Accordingly, the reply may be filed, which shall be accepted by the Registry.

Learned senior advocate Mr. B.B. Naik who appears for the corpora volunteered to make submission that though the corpora have no objection as such to appear before the Court through video conferencing arrangement, which may be envisaged in the facts of the case, at the same time it was submitted that the Court may first consider and decide their preliminary objection as regards territorial jurisdiction to try and entertain the present habeas corpus petition.

While the Court may be addressed with such preliminary point, when the learned senior advocates were asked about the situs place of the corpora, it was stated that they are in Jamaica and that they have been staying at Kingston. Learned advocate however submitted that any further information was not available. He stated that he would try to seek such other relevant information by the next date.

It is to be stated that the information relation to the precise place where the corpora have been staying and the details as to in whose company and custody they happen to be, are the information necessary for the purpose of present proceeding. There is no gainsaying to the such information when furnished would help the Court in the process of consideration of the matter.

As requested by learned advocate Mr. Shah for the petitioner, stand over to 27.02.2023, to which

the other learned advocates have no objection.

(N.V.ANJARIA, J)

(NIRAL R. MEHTA, J)

BIJOY B. PILLAI

