

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 754 OF 2020
(Arising out of SLP(Cr1.) No. 5439/2020)

TOICHUBEK UULU BAKYTBEK .. APPELLANT(S)

VERSUS

THE STATE OF KARNATAKA .. RESPONDENT(S)

WITH

CRIMINAL APPEAL NO. 755 OF 2020
(Arising out of SLP(Cr1.) No. 4696/2020)

O R D E R

Leave granted.

It is pointed out to us that exit permits have been issued and the appellant and 8 other similarly situated persons would leave for their home countries shortly.

In view of the said statement, it is accepted that these appeals have become infructuous, except viz. the restriction/condition that the appellant would not visit India for next ten years. We clarify that in case the appellant and 8 other similarly situated persons apply for visa to visit India, the application(s) would be considered on merits without being influenced by the directions given in paragraph (i) of the impugned judgment dated 13.10.2020 and the affidavit/undertaking filed by the appellant and 8 others.

Further, the issue whether the decision of the Karnataka

High Court dated 19.05.2020 in CrI.P. No. 6578/2019, Babul Khan & Ors. vs. State of Karnataka & Anr., would apply to foreigners who enter India with valid passport and valid visa is left open.

The appeals stand disposed of accordingly.

.....J.
[S. ABDUL NAZEER]

.....J.
[SANJIV KHANNA]

NEW DELHI,
NOVEMBER 16, 2020.

ITEM NO.25 +31 Court 10 (Video Conferencing) SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (CrI.) No. 5439/2020

(Arising out of impugned final judgment and order dated 13-10-2020 in CRLP No. 200617/2020 passed by the High Court Of Karnataka At Kalaburagi)

TOICHUBEK UULU BAKYTBEK

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.113676/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.113677/2020-EXEMPTION FROM FILING O.T. and IA No.113678/2020-EXEMPTION FROM FILING AFFIDAVIT

SLP(CRL)NO.4696/2020

(WITH APPLN(S). FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, EXEMPTION FROM FILING AFFIDAVIT, EXEMPTION FROM FILING O.T., PERMISSION TO FILE ADDL. DOCUMENTS/ FACTS/ ANNEXURES)

Date : 16-11-2020 These petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Chander Uday Singh, Sr. Adv.
Mr. Fuzail Ahmad Ayyubi, AOR
Mr. Ibad Mushtaq, Adv.
Ms. Ila Sheel, Av.
Ms. Akanksha Rai, Adv.

For Respondent(s) Mr. Shubhranshu Padhi AOR,
Mr. Ashish Yadav Adv.
Mr. Rakshit Jain Adv.
Mr. Vishal Banshal Adv.

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

Leave granted.

The appeals stand disposed of in terms of the signed order.

Pending applications stand disposed of.

(CHARANJEET KAUR)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
COURT MASTER (NSH)

[Signed order is placed on the file]