

COURT OF APPEAL FOR ONTARIO

CITATION: United States v. Paradkar, 2026 ONCA 225

DATE: 20260326

DOCKET: M56817 (COA-26-OM-0051)

van Rensburg J.A. (Motion Judge)

BETWEEN

The Attorney General of Canada on behalf of the United States of America

Applicant

and

Deepak Balwant Paradkar

Respondent

Heather J. Graham, for the applicant

Ravin Pillay, for the respondent

Frank Addario, for the proposed intervener Criminal Lawyers' Association (Ontario)

Heard: March 25, 2026

REASONS FOR DECISION

[1] This is a motion by the Criminal Lawyers' Association (Ontario) (the "CLA") for leave to intervene as a friend of the court in a bail review application brought by the Attorney General of Canada on behalf of the United States of America. The Attorney General is applying for review of the order by Bawden J. dated December

23, 2025 (as amended on consent on January 22, 2026) granting Mr. Paradkar bail pending his committal hearing pursuant to s. 18(1)(b) of the *Extradition Act*, S.C. 1999, c. 18. The application will be heard on April 1, 2026.

[2] In support of its motion to intervene the CLA relies on the affidavit of Breana Vandebek, co-chair of the CLA Litigation Committee, setting out the rationale for the proposed intervention. If granted intervener status the CLA is prepared to file a factum on the application without delay.

[3] The intervention motion is opposed by the Attorney General. Mr. Paradkar does not oppose the intervention.

[4] The CLA submits that it will provide an important perspective that is distinct from that of the parties. It does not seek to expand the record or to engage with the merits of the application. The CLA seeks to intervene to make submissions on the issue of whether, in the context of a bail application under s. 18 of the *Extradition Act*, the judge should consider the weakness or strength of the ultimate prosecution, notably as it relates to the primary ground for detention (i.e., whether the accused must be detained to ensure their attendance in court). Essentially, the CLA asserts that it will bring an important perspective to this legal question, which has broad implications for extradition bail applications generally. The proposed submissions are outlined in Ms. Vandebek's affidavit and were expanded upon by Mr. Addario in his submissions on the motion. They respond to submissions

made at paras. 59(5)(i)-(iii) of the Attorney General's factum on the bail review application.

[5] Interventions in criminal law cases are granted sparingly. The court will consider, among other things, the nature of the case, the issues that arise and the likelihood that the proposed intervener can make a useful contribution to the resolution of the matter before the court without causing injustice to the immediate parties: *Peel (Regional Municipality) v. Great Atlantic and Pacific Co. of Canada Ltd.* (1990), 74 O.R. (2d) 164 (C.A.), at 167. The proposed intervener must demonstrate it has a "useful contribution", a "fresh" perspective and an expertise to offer beyond those of the original parties: *R. v. Doering*, 2021 ONCA 924, at paras. 12, 24.

[6] I accept that the CLA has the experience and expertise to act as an intervener and a track record of helpful interventions in other matters in this court. I also accept that there would be no delay in the proceeding or any other potential prejudice to the parties resulting from the proposed intervention.

[7] The problem with the intervention motion, however, is that the arguments the CLA proposes to make are consistent with those already advanced at paras. 30 and 31 of the respondent's factum on the bail review application. The CLA's invocation of s. 11(e) of the *Charter*, the right not to be denied reasonable bail without just cause, does not transform this bail review application into a

constitutional case where the participation of an intervener such as the CLA might readily provide assistance to the court. I agree with the Attorney General that the CLA has not demonstrated that it has a useful perspective to add that differs from that of the respondent, or that it would bring to the record in this case any specialized insight into the law of extradition bail that is beyond that of the parties to the application.

[8] For these reasons the motion is dismissed.

“K. van Rensburg J.A.”