

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CRL.) NO(s). 6 OF 2007

RUBABBUDDIN SHEIKH

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(With appln(s) for exemption from filing
O.T., directions, impleadment, permission to file additional
documents, impleadment as party respondent and office report))

Date: 12/08/2010 This Petition was called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE R.M. LODHA

Amicus Curiae

Mr. Gopal Subramaniam, SG

For Petitioner(s)

Mr. D.A. Dave, Sr. Adv.
Mr. Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool, Adv.
Mr. Pardhuman Gohil, Adv.
Ms. Sakshi Banga, Adv.
Ms. Garima Kapoor, Adv.

For Respondent(s)

Mr. Ram Jethmalani, Sr. Adv.
Mr. Nanavati, Sr. Adv.

Mr. G.E. Vahanvati, A.G.
Mr. H.P. Raval, ASG
Mr. Chinmoy Pradip Sharma, Adv.
Mr. S.N. Terdal, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Ms. Hemantika Wahi, Adv.
Mr. K.T.S. Tulsi, Sr. Adv.
Mr. Maheen Pradhan, Adv.

Ms. Sushma Suri, Adv.
Mr. Sibho Sankar Mishra, Adv.
Ms. A. Sumathi, Adv.

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

In pursuance of the order passed by this
Court on January 12, 2010, the CBI has submitted a
status report. In the status report, it is stated that
they have been carrying on investigations as directed
by this Court, but on certain aspects of the matter
the investigations remain incomplete. A prayer is,

therefore, made to grant them six months further time to complete the investigation. It is further prayed that three other cases that were registered in connection with the alleged escape of Tulsiram Prajapati from police escort and his death in a police encounter may also be transferred for investigation to the CBI because the death of Tulsiram Prajapati in the alleged encounter formed an inseparable part of the investigation which is entrusted to the CBI by this Court.

Today Mr. Jethmalani, senior advocate, appeared on behalf of one of the accused, Amit Shah. Mr. Jethmalani strongly criticized the manner of investigation by the CBI and alluded to some larger political conspiracy. He submitted that he proposed to take steps for recall/modification of the order dated January 12, 2010, passed by this Court by which the investigation of the case was taken away from the Gujarat Police and was handed over to the CBI.

Today, we can proceed only on the basis of the previous order passed on January 12, 2010 by which the CBI was directed to investigate all aspects of the case, relating to the killing of Sohrabuddin and his wife Kausarbi, including the alleged possibility of a larger conspiracy. By that order the CBI was asked to complete the investigation within six months from the date it took over the case from the state police and to file its report to this Court when this Court would pass further necessary orders in accordance with the said report, if necessary.

As on date the investigation ordered to be made remains incomplete. In continuation of the previous order, therefore, the time allowed to the CBI to complete the investigation is extended by three months from today, at the end of which they would file a

status report before this Court.

Put up on receipt of the status report.

(Neetu Khajuria)
Sr. P.A.

(S.S.R. Krishna)
Court Master