

ITEM NO.9

COURT NO.7

SECTION PIL

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Writ Petition(s)(Criminal)

No(s). 167/2012

SHREYA SINGHAL

Petitioner(s)

VERSUS

U.O.I.

Respondent(s)

(With appln.(s) for exemption from filing O.T., impleadment,
directions and office report)
(For final disposal)

WITH

W.P.(C) No. 21/2013

(With Office Report)

W.P.(C) No. 23/2013

(With Office Report)

W.P.(C) No. 97/2013

(With Office Report)

W.P.(Crl.) No. 199/2013

(With appln.(s) for directions and Office Report)

W.P.(C) No. 217/2013

(With appln.(s) for permission to file additional documents, stay
and Office Report)

W.P.(Crl.) No. 222/2013

(With Office Report)

W.P.(Crl.) No. 225/2013

(With Office Report)

W.P.(C) No. 758/2014

(With appln.(s) for stay and Office Report)

W.P.(Crl.) No. 196/2014

(With Office Report)

Date : 02/12/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

WP(CRL)167/2012

Signature Not Verified

Mr.Soli Sorabjee,Sr.Adv.

Ms. Manali Singhal,Adv.

Mr. Saurabh Kirpal,Adv.

Digitally signed by

Om Parkash Sharma

Date: 2014.12.04

17:40:59 IST

Reason:

Ms. Ranjeeta Rohtagi,Adv.

Mr. Ninad Laud,Adv.

Mr. Abhishek P. Singh,Adv.

Ms. Mehernaj Mehta,Adv.

Mr. Santosh Sachin,Adv.

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Mr. Gaurav Srivastava,Adv.

WP(Crl)199/2014

Mr. Sanjay Parikh,Adv.

Mr. Apaar Gupta,Adv.

Ms. Karuna Nandy,Adv.

Ms. Mamta Saxena,Adv.

Mr. Sumit Kumar Vats, Adv.
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WP(C)21/2014 Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, Adv.

WP(C)23/2013 Mr. Sajan Poovayya, Sr. Adv.
Mr. Sumit Attri, Adv.
Mr. Priyadarshi Banerjee, Adv.
Mr. Maahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E. C. Agrawala, Adv.

Mr. Krishan Kumar, Adv.

WP(C)217/20143 Mr. Shyam Divan, Sr. Adv.
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WP(Crl)167/2012 Mr. S. Udaya Kumar Sagar, Adv.
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WP(Cr)167/2012 & WP(Crl)222/2013 Mr. K.K. Venugopal, Sr. Adv.
Mr. Ankur Dalal, Adv.
Ms. Liz Mathew, Adv.
Mr. M.F. Philip, Adv.

Mr. Kush Chaturvedi, Adv.

WP(C)758/2014 Mr. Abhinav Mukerji, Adv.
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WP(CR)196/2014 Ms. Lakshmi N. Kaimal, Adv.

For Respondent(s) Mr. Gaurav Bhatia, AAG, U.P.
Mr. Abhishek Chaudhary, Adv.
Mr. Utkarsh Jaiswal, Adv.

WP(Crl)167/2012 Mr. Sapam Biswajit Meite, Adv.
Mr. Z.H. Isaac Haiding, Adv.
Mr. Ashok Kumar Singh, Adv.

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Mr. D. Mahesh Babu, Adv.

Mr. Maninder Singh, ASG
Mr. Sarfraz A. Siddiqui, Adv.
Mr. S.K. Mishra, Adv.
Ms. Rashmi Malhotra, Adv.
Mr. D. S. Mahra, Adv.

For Intervenor In WP(crl)222/2014) Dr. Nafis A. Siddiqui, Adv.
Mr. Shabeel Ahmad, Adv.
Mr. Atul Sinha, Adv.
Mr. Aftab Rasheed, Adv.

Mr. Mohit D. Ram, Adv.

Mr. Ravi Prakash Mehrotra, Adv.

Mr. R. V. Kameshwaran, Adv.

For Intervenor In WP(crl)167/12 Mr. Shubail Farook, Adv.
Mr. Faisal Farook, Adv.

Mrs. Priya Puri,Adv.

WP(C)167/2012

Mr. V. G. Pragasam,Adv.
Mr. S.J. Aristotle,Adv.

Mr. Gireesh Kumar,Adv.
Mr. Sriram P,Adv.
Mr. Vijay Kumar,Adv.

Mr. Arun R. Pedneker,Adv.
Mr. Anirudda P. Mayee,Adv.
Ms. Asha Gopalan Nair,Adv.

Mr. Anip Sachthey,Adv.
Ms. Shagun Matta,Adv.
Mr. Saakaar Sardana,Adv.

(St. of Kerala)

Mr. V. Shyamohan,Adv.
Ms. C.Y. Dhinoja,Adv.

Mr. P. venkat Reddy,Adv.
Mr. Sumanth Nookala,Adv.
For M/s. Palwai Venkat Law Associates

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

W.P.(Crl.)No.222/2013

This writ petition is filed challenging the
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constitutionality of 66A of the Information technology Act in the background of a prosecution initiated against the petitioner herein in Crime No.4786/2013 dated 4.12.2013 at P.S. Kotwali, District Bareilly, Uttar Pradesh.

Mr. K.K. Venugopal, learned senior counsel appearing on behalf of the petitioner submitted that during the pendency of the writ petition, the police investigated into the allegations made in the above mentioned case and submitted a final report before the concerned Magistrate on 2.6.2014. It is submitted by learned counsel that in view of the pendency of the present writ petition, the learned Magistrate is not able to take any further action on the final report.

In the circumstances, we deem it appropriate to clarify that it is open to the learned Magistrate to act on the final report, if any submitted by the police in the above mentioned crime and pass appropriate orders in accordance with law.

Issue notice in CRL.MP.No.22357/2014 in WP(Cr1)199/2013.

List all the matters on 9th December, 2014 on the top of the list subject to overnight part heard matter.

[O.P. SHARMA]
COURT MASTER

[JASWINDER KAUR]
COURT MASTER