

Criminal Appeal No(s).1255/1999

PEOPLE'S UNION FOR CIVIL LIBERTIES AND ANR.

Appellant(s)

VERSUS

STATE OF MAHARASHTRA & ORS

Respondent(s)

(With appln.(s) for intervention and office report)

WITH

Criminal Appeal Nos.1256 & 1367 of 1999-(With office report)

Writ Petition (C) No.316/2008-(With appln. for stay)

T.C.(C) No.27/2011

Contempt Petition (C)No.47/2011 In Writ Petition (C)No.316/2008

Date : 29/03/2017 These matters were called on for hearing today.

CORAM :

HON&#39;BLE THE CHIEF JUSTICE

HON&#39;BLE DR. JUSTICE D.Y. CHANDRACHUD

HON&#39;BLE MR. JUSTICE SANJAY KISHAN KAUL

Mr. Gopal Sankaranarayanan,Adv.(A.C.)

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Mr. Abhishek Chauhan,Adv.

For Mr. P.N. Puri,Adv.

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In-person

For Respondent(s) Mr. Anup Bhambhani,Sr.Adv.

Mr. Rajat Arora,Adv.

For Dr. Kailash Chand,Adv.

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Mr. Pankaj Pandey,Adv.
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Mrs. D. Bharathi Reddy, Adv.
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Mr. Sunil Fernandes, Adv.
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Mr. Anil K. Chopra, Adv.
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Mr. Praveen Agrawal, Adv.
Mr. Samir Ali Khan, Adv.
Mr. Shuvodeep Roy, Adv.
Mr. Sudarshan Rajan, Adv.
Mr. T. Mahipal, Adv.
Mr. Triloki Nath Razdan, Adv.
M/s. COAC, Adv.
Ms. Jyoti Mendiratta, Adv.

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M/s. Karanjawala & Co., Adv.
Ms. Sharmila Upadhyay, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Having taken into consideration the submissions advanced during the course of hearing, wherein our attention was drawn to various sources wherefrom inputs had been obtained, including the Media Relations Hand Book, of the Los Angeles Police Department; the New York Police Department, Press Relations Notice; the Communication Advisory, of the Association of Chief Police Officers, U.K.; the Media Relations Standard Operating Procedures, of London's Metropolitan Police, UK; the CBI Manual, especially Chapter 24 thereof; and Memorandum of the Government of India, dated 1.4.2010.
2. We have also perused the suggestions made by the Amicus Curiae, Mr. Gopal Sankaranarayan, based on the information and responses to the questionnaire prepared by him.
3. We are of the view, that the Office Memorandum of the Government of India, dated 01.04.2010, requires to be appropriately updated. We therefore hereby direct, the Government of India, to prepare a fresh Memorandum of Police Guidelines, on 'media briefings', which would take into consideration the rights of the accused, so as to ensure, that their defence is not prejudiced in any manner, during the course of trial. Likewise, to ensure

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that the sensitive rights of victims of crime, are not unfairly compromised.

3. Mr. K. Radhakrishnan, learned Senior Counsel appearing for the Union of India, seeks six weeks' time, to enable him to finalize the Memorandum of Police Guidelines on 'media briefings'.

4. Prayer is allowed. Post for hearing after six weeks. Fresh guidelines be placed on record in the meantime.

(Sarita Purohit)
Court Master

(Renuka Sadana)
Assistant Registrar