

ITEM NO.102

COURT NO.1

SECTION IIA

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

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 Crl.A. No.1256/1999

(With Office Report)

Crl.A. No.1367/1999

(With Office Report)

W.P. (C) No.316/2008

(With appln.(s) for stay)

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

CONMT.PET. (C) No.47/2011 In W.P. (C) No.316/2008

Date : 07/02/2017 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE N.V. RAMANA

Amicus Curiae (s) Mr.Gopal Sankaranarayanan, Advocate

For Appellant(s) Mr.Prashant Bhushan, Adv.
Mr.K.Raj, Adv.
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Dr.Surat Singh, Petitioner-in-person

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For Respondent(s) Mr.K.Radhakrishnan, Sr.Adv.

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Ms.Sunita Sharma, Adv.

Ms.Shruti Srivastava, Adv.

Mr.W.A.Qadri, Adv.

Mr.B.K.Prasad, Adv.

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For State of Assam Ms.Diksha Rai, Adv.

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Mrs.Beena Prakash, Adv.
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Mr. Gunnam Venkateswara Rao, Adv.

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Mr. Jatinder Kumar Bhatia, Adv.
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Ms.Anuradha Arputham, Adv.
Mr.Amit Arora, Adv.
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Ms.Mamta Singh, Adv.

For State of A.P. Mr.Guntur Prabhakar, Adv.
Ms.Pruna Singh, Adv.

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Mr.Abhishek Kumar Singh, Adv.

Ms.Pragati Neekhara, Adv.
Mr.Mukul Singh, Adv.

For State of Mizoram Mr.Shikhar Garg, Adv.
Mr.Ganesh Bapu, Adv.

For State of W.B. Mr.Joydeep Mazumdar, Adv.
Mr.Parijat Sinha, Adv.
Mr.Debojyoti Bhattacharya, Adv.

Mr.Pankaj Pandey, Adv.

Mr.Amit Anand Tiwari, Adv.
Ms.Vishakha, Adv.
Ms.Vagda, Adv.

For UT of Andaman & Nicobar Mrs.G.Indira, Adv.
Mr.K.V.Jagdishvaran, Adv.
Mr.Bhupesh Narula, Adv.

shall also be released to the learned *amicus curiae*, within one week from today.

2. A perusal of the motion bench order dated 03.09.2014 reveals, that this Court had *inter alia* directed as under:

"As regards the propriety and procedure of media briefing by police personnel, we think it is appropriate if the learned *amicus curiae* prepares a questionnaire and circulates that to the learned Solicitor General, advocates-on-record appearing for the State Governments, Mr.Surat Singh, petitioner-in-person in Writ Petition No.316 of 2008, within two weeks. Counsel for the Union of India, State Governments and others may submit their response within six weeks of the receipt of the questionnaire and supply copy of the response to learned *amicus curiae*. Order accordingly."

3. A questionnaire was accordingly prepared by the learned *amicus curiae*, and circulated amongst learned counsel for the respondents.

4. In addition to the above, this Court, by its order dated 01.12.2016, also directed as under:

"Mr.Tushar Mehta, learned ASG appearing for the State of Gujarat proposes to file a short note on the issues involved in these petitions. Mr.Gopal Sankaranarayanan, learned Amicus circulated a questionnaire to which learned counsel for some of the States have responded and some more remain to respond. Mr.K.Radhakrishnan, learned counsel for the Union of India also seeks time to respond to the questionnaire. Let the needful be done by the Union of India as also the other States who have not responded to the questionnaire within four weeks.

Learned counsel for the Union of India may also respond to the guidelines placed on record by the National Human Rights Commission."

5. In order to comply with the motion bench order dated 01.12.2016, Mr.Radhakrishnan, learned senior counsel representing the Union of India, and learned counsel representing some of the

State Governments, seek one further opportunity, to respond to the questionnaire. Prayer is allowed. The Union of India, as also, the State Governments may submit their responses to the questionnaire, within two weeks from today. In case, no such response is submitted within two weeks from today, it will be assumed, that they have nothing to say, in furtherance of the questionnaire.

6. Learned *amicus curiae* shall prepare a compilation of the responses, and a summary of the proposals made at the hands of the Union of India, as also, the State Governments, and submit the same for consideration of this Court within one week thereafter.

7. Post for hearing on 22.03.2017.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RENUKA SADANA)
ASSISTANT REGISTRAR