

ITEM NO.101

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 LIBERTIES & ANR

Appellant(s)

VERSUS

STATE OF MAHARASHTRA & ORS

Respondent(s)

(With application(s) for intervention and office report)

WITH

CrI.A. No. 1256/1999
(With Office Report)

CrI.A. No. 1367/1999
(With Office Report)

W.P.(C) No. 316/2008
(With appln.(s) for stay and Office Report)

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

T.C.(C) No. 27/2011
(With Office Report)

Date : 03/09/2014 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

Amicus Curiae

Mr. Gopal Sankaranarayanan, Adv.
Mr. Vikramaditya, Adv.

For Appellant(s)
Signature Not Verified

Mr. Prashant Bhushan, Adv.

Digitally signed by
NEETU KHAJURIA
Date: 2014.09.05

Mr. Rohit K. Singh, Adv.
Mr. Somnadri Goud, Adv.

12:26:20 IST
Reason:

Mr. Shashaank Bhansali, Adv.
For M/s. Parekh & Co.

2

CrI.A 1256/1999 Mr. Aman Vachher, Adv.
Mr. Ashutosh Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. P. N. Puri, Adv.

CrI.A. 1367/1999 Ms. Aparna Jha, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Vijay Kumar, Adv.

W.P. 316/2008 Dr. Surat Singh

Cont.Ptn.47/2011 In-Person
Mr. Brajesh Kumar Singh, Adv.

T.C.27/2011 Ms. Ruchi Kohli, Adv.
Mr. Triloki Nath Razdan, adv.

For Respondent(s)
Mr. Ranjit Kumar, Solicitor General
Mr. N.K. Kaul, ASG
Ms. Binu Tamta, Adv.
Mr. Chetan Chawla, Adv.
Mr. Sanyat Lodha, Adv.
Ms. Sushma Suri, Adv.

Mr. N.K. Kaul, ASG
Mr. Gaurav Sharma, Adv.
Ms. S.K. Bajwa, Adv.
Mr. S.N. Terdal, Adv.

Maharashtra Mr. Shekhar Naphade, Sr. Adv.
Ms. Usha Kejriwal, Adv.
Mr. Amol Chitale, Adv.
Mr. Ajit Wagh, Adv.
Mr. Aniruddha P. Mayee, Adv.

Mr. B.H. Marlapalle, Sr. Adv.
Ms. Usha Kejriwal, Adv.
Mr. Aniruddha P. Mayee, Adv.

Ms. Asha G. Nair, Adv.
Mr. Aniruddha P. Mayee, Adv.

U.P. Mr. Ratnakar Dash, Sr. Adv.
Mr. Abhish Kumar, Adv.
Mr. Somrai Chaudhury, Adv.

3
Ms. Pragati Neekhara, Adv.
Mr. Mukul Singh, Adv.

CBI Mr. Maninder Singh, ASG
Mr. T.A. Khan, Adv.
Mr. B.V. Balramdas, Adv.

NBA, Aaj Tak Mr. A.J. Bhambhani, Sr. Adv.
Ms. Sumita Hazarika, Adv.
Ms. Nisha Bhambhani, Adv.

NHRC Mr. Sanjay Parikh, Adv.
Ms. Anitha Shenoy, Adv.
Ms. Neha Singh, Adv.
Ms. Prachi Arya, Adv.
Ms. Mamta Saxena, Adv.

Mr. S. Wasim A. Qadri, Adv.
Ms. Sunita Sharma, Adv.
Mr. Zaid Ali, Adv.
Ms. Sushma Suri, Adv.
Ms. Sadhna Sandhu, Adv.
Ms. Gargi Khanna, Adv.

State of Assam Ms. Vartika Sahah, Adv.
For M/s. Corporate Law Group, Adv.

UT Chandigarh Admn. Mr. Ashoka Kumar Thakur, adv.
Mr. Anil K. Chopra, Adv.

Uttarakhand Mr. Atif Suhrawardy, Adv.

Mr. J.K. Bhatia, Adv.

Haryana Mr. Neeraj Mor, AAG
Mr. B.S. Mor, Adv.
Mr. Kamal Mohan Gupta, Adv.

Nagaland Ms. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. Balaji Srinivasan, Adv.

Gujarat Ms. Hemantika Wahi, Adv.
Ms. Puja Singh, Adv.
Mr. Preeti Bhardwaj, Adv.

Jharkhand Mr. Krishnanand Pandeya, Adv.

4

Kerala Ms. Liz Mathew, Adv.
Mr. M.F. Philip, Adv.
Ms. Shriya Raj Chauhan, Adv.

Bihar Mr. Gopal Singh, Adv.
Mr. Chandan Kumar, Adv.

Odisha Mr. Ashok Panigrahi, Adv.
Mr. Santosh Kumar, Adv.
Ms. Ashmi Mohan, Adv.

Puducherry Mr. V.G. Pragasam, Adv.
Mr. S.Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.

Sikkim Ms. Aruna Mathur, Adv.
Mr. Yusuf Khan, Adv.
For M/s. Aruputham Aruna & Co.

Manipur Mr. Sapam Biswajit Meitei, adv.
Mr. Ashok Kumar Singh, Adv.

H.P. Mr. Suryanarayana Singh, AAG
Ms. Pragati Neekhara, Adv.

T.N. Mr. M. Yogesh Kanna, Adv.
Ms. Vanita Chandrakant Giri, Adv.

Rajasthan Mr. S.S. Shamsbery, Adv.
Ms. Ishu Prayas, Adv.

Telangana Mr. S. Udaya Kumar Sagar, Adv.

Uttarakhand Mr. Rahul Verma, AAG
Mr. Rajiv Nanda, Adv.

Assam Mr. Anil Shrivastav, Adv.
Mr. Rituraj Biswas, Adv.

West Bengal Mr. Anip Sachthey, Adv.
Mr. Mohit Paul, Adv.

Andaman & Nicobar Admn. Mr. K.V. Jagdishvaran, Adv.
Ms. G. Indira, Adv.
Mr. Balasubramanian, Adv.

Mr. Gopal Singh, Adv.

5

Mr. Rituraj Biswas, Adv.

Hindustan Times Mr. Amit Anand Tiwari, Adv.

NDTV

Mr. Abhinav Raghuvanshi, Adv.

Mr. Varun Shankar, Adv.

Mr. Subramaniam Prasad, Adv.

Ms. Shobha, Adv.

Ms. Prasanna Mohan, Adv.

Ms. Jyoti Rana, Adv.

Mr. Biswanath Agrrawalla, Adv.

For Dr. Kailash Chand, Adv.

Dr. Nafis A. Siddiqui, Adv.

Mr. C. D. Singh, Adv.

Mr. D. Mahesh Babu, Adv.

Mr. G. Prakash, Adv.

Mr. Gunnam Venkateswara Rao, Adv.

Mr. Irshad Ahmad, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Mr. Kuldip Singh, Adv.

Mr. P. V. Yogeswaran, Adv.

Mr. Ranjan Mukherjee, Adv.

Mrs. Anil Katiyar, Adv.

Mr. Sanjay R. Hegde, Adv.

Mrs. D. Bharathi Reddy, Adv.

Mr. S. Thananjayan, Adv.

Mr. Sunil Fernandes, Adv.

Mr. Tara Chandra Sharma, Adv.

6

Mr. Yash Pal Dhingra, Adv.

Ms. Kamini Jaiswal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard Mr. Gopal Sankaranarayan, learned amicus curiae, learned senior counsel and counsel for the States and the National Human Rights Commission on the question of the procedure to be followed in investigating police encounters. Order reserved in this regard.

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.

7

List these matters after eight weeks for consideration on the aspect of the media briefing by the police personnel.

(Neetu Khajuria)
Sr.P.A.

(Renu Diwan)
Court Master