

ITEM NO.301

COURT NO.1

SECTION PIL

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

Writ Petition(s) (Criminal) No(s). 109/2003

NATIONAL HUMAN RIGHTS COMMISSION

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

WITH SLP(C) No. 7951/2002

(With appln.(s) for exemption from filing c/c of the impugned judgment and appln.(s) for permission to place addl. documents on record and)

W.P.(Crl.) No. 37-52/2002

(With appln.(s) for exemption from filing O.T. and appln.(s) for permission to file additional documents and appln.(s) for amendment of the petition and appln.(s) for directions and appln.(s) for permission to submit additional document(s) and appln.(s) for permission to place addl. documents on record and appln.(s) for exemption from appointment of official translator and appln.(s) for impleadment and appln.(s) for directions and appln.(s) for c/delay in filing reply and appln.(s) for c/delay in filing rejoinder and appln.(s) for exemption from filing O.T. and appln.(s) for impleadment and appln.(s) for directions and appln.(s) for permission to file additional affidavit and appln.(s) for interim directions and appln.(s) for permission to place addl. documents on record and appln.(s) for permission to file additional documents and Office Report)

T.P.(Crl.) No. 194-202/2003

(With appln.(s) for stay and appln.(s) for permission to file affidavit and appln.(s) for permission to file affidavit and appln.(s) for bail and appln.(s) for directions and appln.(s) for exemption from filing O.T. and appln.(s) for exemption and appln.(s) for impleading party and appln.(s) for permission to submit additional document(s) and appln.(s) for impleading party and appln.(s) for permission to place addl. documents on record and appln.(s) for permission to place addl. documents on record and appln.(s) for stay and Office Report)

W.P.(Crl.) No. 118/2003

(With appln.(s) for directions and appln.(s) for interim relief and appln.(s) for exemption from filing O.T. and Office Report)

W.P.(Crl.) D 17953/2003

(With Office Report)

SLP(Crl) No. 4409/2003
(With appln.(s) for stay and Office Report)

W.P.(Crl.) No. 216/2003
(With Office Report)

W.P.(Crl.) No. 284/2003
(With Office Report)

T.P.(Crl.) No. 66-72/2004
(With appln.(s) for permission to file t.p. and appln.(s) for stay and appln.(s) for directions and appln.(s) for taking additional document on record and appln.(s) for permission to submit additional document(s) and appln.(s) for directions and Office Report)

T.P.(Crl.) No. 43/2004
(With appln.(s) for stay and appln.(s) for exemption from filing O.T. and Office Report)

SLP(Crl) No. 5309/2003
(With appln.(s) for c/delay in filing SLP and appln.(s) for exemption from filing c/c of the impugned judgment and appln.(s) for exemption from filing O.T. and appln.(s) for directions and appln.(s) for exemption from appointment of official translator and Office Report)

T.P.(Crl.) No. 233-234/2004
(With appln.(s) for stay and Office Report)

Date : 13/11/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE M.Y. EQBAL

Mr.Harish Salve, Sr.Adv. (A.C.) (NP)

For Petitioner(s) Ms. Anitha Shenoy,Adv.

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Ms.Tanima Kishore, Adv.

Ms. Shobha, Adv.
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Petitioner-in-person.

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For Respondent(s)

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Mr. Vibhu Tiwari, Adv.

Mr. Ravi P. Mehrotra, Adv.

Mr. K. V. Jagdishvaran, Adv.

Ms. G. Indira, Adv.

Mr. Anip Sachthey, Adv.

Mr. Mohit Paul, Adv.

Ms. K. Enatoli Sema, Adv.

Mr. Amit Kumar Singh, Adv.

For Mr. Balaji Srinivasan, Adv.

Mr.Manjit Singh, AAG
Ms.Nupur Choudhary, Adv.
For Mr.Kamal Mohan Gupta, Adv.

Mr.Z.H.Isaac Haiding, Adv.
For Mr.Ashok Kr.Singh, Adv.

Ms.A.Subhashini, Adv.

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

CRLMP NO.18983/2014:

Shri Harish Salve, learned *Amicus Curaie* has filed this petition, *inter alia*, seeking the following prayers :

"(a) Vacate the order of stay on pronouncement of judgment in Cr.No.67/2002 (Meghaninagar Gulberg Society Case) as originally directed by this Hon'ble Court vide Order dated 06.05.2010, and as continued vide Order dated 26.10.2010;

(b) Direct the Id. Presiding Judge to hear Cr.No.67/2002 (Meghaninagar Gulberg Society Case) expeditiously and pronounce Judgment in the same;

(c)....."

2. By an order dated 06.05.2010, this Court had, *inter alia*, ordered an examination of all police records in the possession of the SIT. To facilitate the same, this Court had directed that the Trial Courts hearing the concerned matters shall not pronounce the final judgment till further orders. This Court, thereafter, lifted the restraint passed by the aforementioned order in all cases except Cr.No.67 of 2002 (Meghaninagar Gulberg Society Case), whereby the trial of the said case was permitted to proceed but the restraint on pronouncing the final judgment was continued, by order dated 26.10.2010.

3. Insofar as prayer (a) of the present application is concerned, we do not intend to modify our earlier stay order dated 06.05.2010, which was further continued vide our order dated 26.10.2010.

4. Insofar as prayer (b) of the application is concerned, if this Court directs the learned Presiding Judge to hear Cr.No.67/2002 (Meghaninagar Gulberg Society Case) as expeditiously as possible, it may not prejudice the case of any of the parties. Therefore, we now direct the learned Presiding Judge to hear the

said case on a day to day basis and keep the judgment ready, however, may not pronounce the same without the leave of this Court.

5. We further request the learned Presiding Judge to complete the hearing of Cr.No.67 of 2002 within three months' time from today, without unnecessarily giving any adjournment to either of the parties.

CRLMP No.18983/2014 is disposed of accordingly.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar