

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

WRIT PETITION (CRL.) NO. 109 OF 2003

NATIONAL HUMAN RIGHTS COMMISSION

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(With appln(s) for directions filed by A.C. and stay and intervention and direction and a note dated 27/2/2007 submitted by A.C/ and directions) (For Final Disposal)

WITH

CRLMP.NO.10719/2003 IN WP (Crl) No.109/2003  
(For directions)

CRLMP.NO.7078/2003 IN WP (Crl) No.109/2003  
(For stay)

CRLMP.NO.7827/2003, 8193/2003 & 8194/2003 IN WP (Crl)No.109/2003  
(For intervention)

CRLMP.NO.11668/2003 IN WP (Crl) No.109/2003  
(For intervention)

CRLMP.NO.11689/2003 IN WP (Crl) No.109/2003  
(For directions)

CRLMP.NO.4782/2003 IN WP (Crl) No.109/2003  
(A Note dated 27/2/2004 submitted by Ld. A.C. with regard to entrusting the UOI with responsibility of providing appropriate protection to all the witnesses involved in the major trials in the State of Gujarat (including the Bilkis case) in the manner they consider appropriate including wherever necessary by resort to the central forces)

CRLMP.NO.3741/2004 & 3742/2004 IN WP (Crl) No.109/2003  
(For directions)

CRLMP.NO.6864/2004 IN WP (Crl) No.109/2003  
(For intervention)

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CRLMP.NO.9236/2004 IN WP (Crl) No.109/2003  
(For intervention/directions)

CRL.MP NO. 6767 of 2006 In WP(Crl.) No. 109 of 2003  
(For directions)

Crl.MP No. 7824 of 2007 In WP(Crl.) No. 109 of 2003  
(For directions)

Crl.M.P. NOs. 18710 & 18712 In WP(Crl.) No. 109 of 2003  
( For impleadment and directions )

W.P (Crl.) No. D17953 of 2003  
(With office report)

T.P(Crl.) Nos. 194-202 & 326-329 of 2003  
(With appln. for stay and exemption and impleading party and permission to submit additional documents and permission to

place addl. documents on record and office report)

SLP(C) No. 7951 of 2002

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

SLP(Crl) NO. 4409 of 2003

(With appln. for stay)

SLP(Crl.) No. 5309 of 2003

(with appln. for c/delay in filing SLP and exemption from filing c/c of the impugned judgment and exemption from filing O.T. and office report)

W.P(CRL.) NO. 216 of 2003

T.P.(CRL) NO. 66-72 of 2004

(With appln. for permission to tile T.P. and stay and directions and taking addl. documents on record and permission to submit addl. document(s)

T.P.(CRL) NO. 43 of 2004

(With appln. for stay and exemption from filing O.T. and office report)

W.P(CRL.) NO. 118 of 2003

(With appln. for directions and interim relief and exemption from filing O.T. and office report)

T.P. (CRL.) NOs. 233-234 of 2004

(With appln. for stay and office report)

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W.P(CRL.) NO. 37-52 of 2002

(With appln. for permission to submit additional documents and exemption from filing O.T. and interim directions and permission to place addl. documents on record and office report)

W.P(CRL.) NO. 284 of 2003

(With office report)

CRL.M.P. NO. 6767 of 2006 In CRL.M.P. NOS. 3741-3742 of 2004

(For directions)

CRL.M.P. NO. 4485 of 2006 In SLP(Crl.) No. 3770 of 2003

(For directions)

SLP(Crl.) NO. 1088 of 2008

(With appln. for exemption form filing c/c of the impugned judgment and permission to place addl. documents on record and directions and office report)

Date: 19/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN  
HON'BLE MR. JUSTICE P. SATHASIVAM  
HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. Harish N Salve, Sr. Adv. (A.C.)(NP)  
Mr. Bhargava V Desai, Adv. (A.C.)  
Mr. Rahul Gupta, Adv.  
Mr. Nikhil Sharma, Adv.

In person (NP)

Mr. S Udaya Kuamr Sagar, Adv.

Ms. Bina Madhavan, Adv.  
for M/s Lawyers Knit & Co., Adv.

In SLP(Crl.)1088/08

Mr. S Udaya Kumar Sagar, Adv.  
Ms. Bina Madhavan, Adv.  
for M/s Lawyers Knit & Co., Adv.

Mr. Huzeefa Ahmadi, Adv.  
Mr. Ejaz Maqbool, Adv.  
Mr. Abhijeet Sinha, Adv.  
Mr. Pardhuman Gohil, Adv.  
Ms. Garima Kapoor, Adv.

..4/-

: 4 :

Mr. A.S.P.I Chinoy, Sr. Adv.  
Ms. Aparna Bhat, Adv.  
Mr. P Ramesh Kumar, Adv.  
Ms. Madhulika Mohta, Adv.

Mr. Naveen R Nath, Adv.

Ms. Shobha, Adv.

Mr. Naven R. Nath, Adv.

Mr. Prashant Bhushan, Adv. (A.C.)

For Respondent(s)

Mr. Tushar Mehta, AAG  
Ms. Hemantika Wahi, Adv.  
Mr. Somanath Padhan, Adv.  
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Mr. Raghenth Basant, Adv.  
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Mr. P Parmeshwaran, Adv.  
Ms. Sushma Suri, Adv.

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Mr. Rituraj Biswas, Adv.

Mr. Gopal Singh, Adv.  
Mr. Manish Kumar, Adv.

Mr. V.G. Pragasam, Adv.  
Mr. S.J. Aristotle, Adv.  
Mr. Prabu Rama Subramanian, Adv.

Mr. Naresh Kr. Sharma, Adv.

Mr. Gopal Prasad, Adv.

..5/-

: 5 :

Mr. Bimal Roy Jad, Adv.

Mr. Navneet Kumar, Adv.  
for M/s. Corporate Law Group, Adv.

Mr. Ravindra Kr. Adsure, Adv.

Mr. Ravi Prakash Mehrotra, Adv.

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Mrs. Aruna Mathur, Adv.

Mr. Vimal Dubey, Adv.

for M/s. Arputham, Aruna & Co., Advs.

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Ms. Sadhna Sandhu, Adv.

Mr. V. Bhandari, Adv. Adv.

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Mr. D.S. Mehra, Adv.

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Mr. Ranjan Mukherjee, Adv.

Mr. S Bhowmick, Adv.

Mr. Anil Shrivastav, Adv.

Mr. D.K. Sinha, Adv.

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Ms. Aparna Bhat, Adv.

Ms. R. Nandakumar, Adv.

Ms. Anita Shenoy, Adv.

Mr. Sanjay Parekh, Adv.

Mr. Anish Shah, Adv.

Mr. Sanjay R Hegde, Adv.

..6/-

: 6 :

Mr. KH. Nobin Singh, Adv.

Mr. R Satish, Adv.

Mr. P.V. Dinesh, Adv.

Mr. P Rajesh, Adv.

Ms. Singhu T.P., Adv.

Mr. H.B. Manav, Adv.

Mr. Athouba, Adv.

Mr. S.N. Bhat, Adv.

Dr. Kailash Chand, Adv.

Mr. Sanjay Jain, Adv.

Mr. Ejaz Maqbool, Adv.

Mr. Rashmikumar Manilal Vithlani, Adv.

Dr. Meera Agarwal, Adv.

Mr. Annam D.N. Rao, Adv.

M/s. P.H. Parekh & Co., Advs.

Mr. Sharad B Vakil, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agarwal, Adv.  
Mr. E.C. Agrawala, Adv.  
Mr. Gaurav Goel, Adv.

Mr. A Subhashini, Adv.

Mr. Sanjay Kharde, Adv.  
Mr. Asha G Nair, Adv.

Mr. Anuradha Rustogi, Adv.  
Mrs. D Bharathi Reddy, Adv.

Mr. Manoj Kumar Dwivedi, Adv.  
Ms. Vandana Mishra, Adv.  
Mr. G.V. Rao, Adv.  
Mr. Ravi Prakash Mehrotra, Adv.

Mr. S Thananjayan, Adv.

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

In regard to the investigations in SLP(Crl.) No. 1088 of 2008, an interim report has been submitted by the Special Investigating Team (SIT). In the said report it has been reported that having regard to the gravity, complexity and vast spread of the allegations across Gujarat State, a very large number of suspects and witnesses have to be examined. It is also reported that a large number of vital documents are still awaited from the Government of Gujarat. The Committee has prayed for grant of 5 months' further time for completion of the enquiry and submission of its final report in the matter. The Committee has also sought direction to the Government of Gujarat to hand over all the vital documents requisitioned by it from them.

Having perused the correspondence between the SIT and the State Government, filed as annexures with the report, we direct the Government of Gujarat to hand over all the documents, which have been requisitioned by the SIT without any further delay. The SIT would try to complete the enquiry in the matter expeditiously and submit its report by 30th April, 2010.

The report shall be kept in the sealed covers.

Crl.M.P. No. 19816/2009 In WP(Crl.) Nos. 37-52 of 2002

List for hearing on 9th February, 2010 at 3.00 p.m.

[ Charanjeet Kaur ]  
Court Master

[ Pushap Lata Bhardwaj ]  
Court Master