

ITEM NO.301

COURT NO.3

SECTION PIL

SUPREME COURT OF INDIA
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., stay, intervention,
direction and a note dt.27.02.2004 submitted by A.C. and directions)
(For final disposal)

WITH

CrI.M.P.No.10719/2003 in W.P.(CrI.)No.109/2003
[For direction]

CrI.M.P.No.7078/2003 in W.P.(CrI.)No.109/2003
[For stay]

CrI.M.P.Nos.7827/2003, 8193/2003 & 8194/2003 in W.P.(CrI.)No.109/2003
[For intervention]

CrI.M.P.No.11668/2003 in W.P.(CrI.)No.109/2003
[For intervention]

CrI.M.P.No.11689/2003 in W.P.(CrI.)No.109/2003
[For directions]

WITH

CrI.M.P.No.4782/2003 in W.P.(CrI.)No.109/2003
[A note dt. 27.02.04 submitted by Ld. AC. with regard to entrusting the UOI with
responsibility of providing appropriate protection to all

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the witnesses involved in the major trials in the State of Gujarat(including the
Bilkis case) in the manner which they consider appropriate including wherever
necessary by resort to the Central forces]

CrI.M.P.No.3741/2004 & 3742/2004 in W.P.(CrI.)No.109/2003
[For directions]

WITH

CrI.M.P.No.6864/2004 in W.P.(CrI.)No.109/2003
[For intervention]

CrI.M.P.No.9236/2005 in W.P.(CrI.)No.109/2003
[For intervention/directions]

CrI.M.P.No.6767/2006 in W.P.(CrI.)No.109/2003
[For directions]

CrI.M.P.No.7824/2007 in W.P.(CrI.)No.109/2003
[For directions]

W.P.(CrI.)No.D17953/2003
[With Office Report]

T.P.(CrI.)No.194-202 & 326-329/2003

[With Appln.(s) for stay; exemption; impleading party; permission to submit additional document(s); permission to place addl. documents on record and office report]

S.L.P.(C)No.7951/2002

[With Appln.(s) for exemption from filing C/C of the impugned judgment and permission to place addl. documents on record]

SLP(Crl.) NO.4409 of 2003

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[With Appln. for stay]

S.L.P.(Crl.)No.5309/2003

[With Appln.(s) for c/delay in filing SLP; exemption from filing

C/C of the impugned judgment 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.(s) for permission to file T.P.; stay; directions; taking additional document on record and permission to submit additional document(s)]

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

[With Appln.(s) for stay; exemption from filing O.T.; and office report]

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

[With Appln.(s) for directions; interim relief; exemption from filing O.T. and Office Report]

T.P.(Crl.)Nos.233-234/2004

[With Appln.(s) for stay and office report]

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

[With Appln.(s) for permission to submit additional document(s); exemption from filing O.T.; interim directions; permission to place addl. documents on record and Office Report]

W.P.(Crl.)No.284/2003

[With Office Report]

Crl.M.P.No.6767/2006

in

Crl.M.P.Nos.3741-3742/2004

In

W.P.

(Crl.)No.109/2003[For directions]

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Crl.M.P.No.4485/2006 in S.L.P.(CRL.)No.3770/2003

[For directions]

Date: 02/03/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE P. SATHASIVAM

HON'BLE MR. JUSTICE AFTAB ALAM

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

Mr. B.V. Desai, Adv. (A.C.)

For Petitioner(s) Mr. Rahul Gupta, Adv.
Ms. Reema Sharma, Adv.

Mr. Sanjay Parekh, Adv.

Mr. Umed Singh Gulia-in-person

Ms. Aparna Bhat, Adv.
Mr. P. Ramesh Kumar, Adv.

Mr. Naveen R. Nath, Adv.

Ms. Shobha, Adv.

For Respondent(s) Mr. K.N.Madhusoodhan, Adv.
Mr. R.Satish, Adv.

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Mr. Anil Shrivastav, Adv.
Mr. Ritu Raj, Adv.

Ms. Shobha Dixit, Sr. Adv.
Ms. Vandana Mishra, Adv.
Mr. G.V.Rao, Adv.

Mr. A. Mariarputham, Adv.
Mrs. Aruna Mathur, Adv. for
M/s. Arputham, Aruna & Co., Adv.

Mr. Sanjay Parikh, Adv.
Ms. Anita Shenoy, Adv.

Ms. Bina Madhavan, Adv. for
M/s. Lawyer's Knit & CO., Adv.

Mr. Manish Kumar, Adv.
Mr. Ansar Ahmad Chaudhary, Adv.

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

Mr. Arun Jaitley, Sr. Adv.
Mr. Mukul Rohtagi, Sr. Adv.
Ms. H.Wahi, Adv.
Mr. Saurav Kirpal, Adv.
Ms. Pinky, Adv.
Mr. Somnath Padhan, Adv.

Mr. Manjit Singh, Adv.
Mr. T.V. George, Adv.

Mr. KH. Nobin Singh, Adv.

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Mr. S. Wasim A. Qadri, Adv.
Mr. D.S.Mahra, Adv.
Ms. Vanita, Adv.

Mr. Atul Jha, Adv.
Mr. D.K.Sinha, Adv.

Mr. Gopal Singh, Adv.

MS. Shweta Singh, Adv.

Mr. Naveen R.Nath, Adv.

Dr. Kailash Chand, Adv.

Mr. C.D.Singh, Adv.

Mr. Riku Sarma, Adv. for
M/s. Corporate Law Group, Adv.

Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

Mr. K.R. Sasiprabhu, Adv.

Mr. J.S.Attri, Adv.

Mr. Bimal Roy Jad, Adv.

Mr.Ravi Prakash Mehrotra, adv.

Mr. Radha Shyam Jena, Adv.

Mr. K.R.Sasiprabhu, Adv.

Mr. P.V.Dinesh, Adv.

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Mr. Gopal Prasad, Adv.

Mr. R.K.Adsure, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Sanjay R.Hegde, Adv.

Mr. P.Parmeswaran, Adv.

Mr. ADN.Rao, Adv.

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

Ms. A.Subhashini, adv.

Mr. Thananjayan, Adv.

Mr. V.G.Pragsam, Adv.

Mr. Sanjay Jain, adv.

Mr. Ejaz Maqbool, Adv.

Dr. Meera Agarwal, Adv.

Ms. Indu Mathew, Adv.

Mr. V.N.Raghupathy, Adv.

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Dr. Nafis A.Siddiqui, Adv.

Mr. Sameer Parekh, Adv. for
M/s. P.H.Parekh & Co.

Mr. S.N.Bhat, Adv.

UPON hearing counsel the Court made the following
ORDER

The Registry shall supply copies of the report received from
the Special Investigation Team to learned

counsel for the State of Gujarat and Mr. Harish N.Salve, Learned Amicus
Curiae. Suggestions/ views in respect of the report shall be filed within
four weeks. The SIT with its present constitution shall continue to be
functional until further orders. If any further investigation or inquiry
in respect of any case is necessary, SIT is free to do so. A confidential
report has been received from SIT which shall be kept in a sealed cover.

List these matters on 13th April, 2009.

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(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master