

ITEM NO.201

COURT NO.4

SECTION PIL

## 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 &amp; ORS.

Respondent(s)

[With appln(s) for directions filed by A.C. stay, intervention,  
direction; a note dt.27.02.2004 submitted by A.C. and directions]

(For final disposal);

WITH

Crl.M.P.No.10719/2003 in W.P.(Crl.)No.109/2003

[For direction];

Crl.M.P.No.7078/2003 in W.P.(Crl.)No.109/2003

[For stay];

Crl.M.P.Nos.7827/2003, 8193/2003 &amp; 8194/2003 in W.P.(Crl.)No.109/2003

[For intervention];

Crl.M.P.No.11668/2003 in W.P.(Crl.)No.109/2003

[For intervention];

Crl.M.P.No.11689/2003 in W.P.(Crl.)No.109/2003

[For directions];

Crl.M.P.No.4782/2003 in W.P.(Crl.)No.109/2003

[A note dt. 27.2.2004 submitted by Ld. A.C. with regard to entrusting  
the UOI with

responsibility of providing appropriate protection to all the witnesses invo  
lved 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];

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];

CRLMP No. 6767/2006 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

2

permission to place addl. documents on record];

SLP(CrI.) NO.4409 of 2003

[With Appln. for stay];

S.L.P.(CrI.)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

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 with Office Report];

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

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

CRLMP 4485/2006 in SLP(Crl.) No. 3770/2003

(For directions)

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

[For directions];

Date: 23/03/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE P.K.BALASUBRAMANYAN

HON'BLE MR. JUSTICE D.K. JAIN

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

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

3

For Petitioner(s)

Mr. R.K.Dhavan, Sr. Adv.

Ms. Indu Malhotra, Adv.

Mr. Gopal Shankarnaratanan, Adv.

Ms. Shilpa Gupta, Adv.

Mr. Gopal, Adv.

Mr. G.E.Vahanvati, S.G.

Mr. Vikas Singh, ASG,

Mr. Devadatt Kamat, Adv.

Mr. Umed Singh Gulia-in-person

Mr. Huzefa Ahmadi, Adv.

Mr. Ejaz Maqbool, Adv.

Mr. Nakul Dewan, Adv.

Ms. Taruna Singh, Adv.

Mr. Vikash Singh, Adv.

Mr. Abhijeet Sinha, Adv.

Ms. Aparna Bhat, Adv.

Mr. P. Ramesh Kumar, Adv.

Mr. Anand Grover, Adv.

Ms. Lalit Mohini, Adv.

Mr. Naveen R. Nath, Adv.

Ms. Shobha, Adv.

For Respondent(s)

Mr. Arun Jaitley, Sr. Adv.

Mr. Mukul Rohtagi, Sr. adv.

Ms. Hemantika Wahi, Adv.

Ms. Pinky Behra, Adv.

Ms. Shivangi, Adv.

State of M.P.

Mr. C.D. Singh, Adv.

Mr. Merusagar Samantaray, Adv.

Dr. Nafis A. Siddiqui, Adv.

UOI

Ms. Sandhya Goswami, Adv.

4

Ms. Sushma Suri, Adv.

Mr. V.N. Raghupathy, Adv.

State of Tripura

Mr. Gopal Singh, Adv.

Mr. Rituraj Biswas, Adv.

State of Bihar

Mr. Gopal Singh, Adv.

Mr. Nishakant Pandey, Adv.

Tamil Nadu &

Mr. V.G. Pragasam, Adv.

Pondicherry

Mr. S. Vallinayagam, Adv.

Mr. S.Prabhu Ramasubramanian, Adv.

Himachal Pradesh

Mr. J.S. Attri, Addl. Adv. Gen.

Mr. Vivek Singh, Adv.

Mr. Gopal Prasad, Adv.

Mr. Bimal Roy Jad, Adv.

State of Assam

Mr. Riku Sarma, Adv. for

M/s. Corporate Law Group, Advs.

Mr. Ravindra Kr. Adsure, Adv.

Mr. Ravi Prakash Mehrotra, Adv.

Mr. T.V. George, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. A. Mariarputham, Adv.

Mrs. Aruna Mathur, Adv. for  
M/s. Arputham, Aruna & Co., Advs.

West Bengal

Mr. Tara Chandra Sharma, Adv.

Ms. Neelam Sharma, Adv.

Mr. K.R. Sasiprabhu, Adv.

All UTs

Mr. S. Wasim A. Qadri, Adv.

Mr. D.S. Mahra, Adv.

Mr. Ansar Ahmad Chaudhary, Adv.

State of Meghalaya

Mr. Ranjan Mukherjee, Adv.

5

Mr. S.C.Ghosh, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Atul Jha, Adv.

Mr. D.K. Sinha, Adv.

Ms. Lalit Mohini, Adv.

Mr. Naveen R. Nath, Adv.

Ms. D.Bharathi Reddy, Adv.

Mr. P.VInay Kumar, Adv.

Ms. Sneha Bhaskaran, adv.

Mr. R.K.Rathore, Adv.

Mr. M.K.Verma, Adv.

Mr. A.K.Sinha, Adv.

Mr. Ramesh Chandra Mishra, Adv.

Dr. Meera Agarwal, Aadv.

Mr. Sanjay Parikh, Adv.

Mr. Jitin Sahni, Adv.

Ms. Anitha Shenoy, Adv.

Mr. A.N. Singh, Adv.

Mr. S.N. Bhat, Adv.

Mr. K.T.S. Tulsi, Sr. Adv.

Mr. Nikhil Goel, Adv.

Mrs. Naveen Goel, Adv.

Dr. Kailash Chand, Adv.

Mr. Sanjay Jain, Adv.

Mr. Rashmikumar Manilal Vithlani, Adv.

Mr. P.H.APrekh, Adv. for

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

Mr. Huzefa Ahmadi, Adv.

Mr. Ejaz Maqbool, Adv.

Mr. Nakul Dewan, Adv.

Ms. Taruna Singh, Adv.

M/s. J.S. Wad & Co., Advs.

Mr. P. Parmeswaran, Adv.

Mr. Annam D.N. Rao, Adv.

State of U.P.

Mr. S. Wasim A. Qadri, Adv.

Mr. Ranji Dubey, Adv.

Mr. Kamendra Mishra, Adv.

State of Kerala

Mr. P.V. Dinesh, Adv.

Mrs. Sindhu T.P., Adv.

Arunachal Pradesh

Mr. Anil Shrivastav, Adv.

Rajasthan

Mr. Aruneshwar Gupta, Addl. Adv. Gen.

Mr. Naveen Kumar Singh, Adv.

Mr. Mukul Sood, Adv.

Mr. Shashwat Gupta, Adv.

Mizoram

Mr. K.N. Madhusoodhanan, Adv.

Mr. R. Sathish, Adv.

Punjab

Ms. Avneet Toor, Adv.

Mr. Sanjay Jain, Adv.

Mr. A.K. Sinha, Adv.

Goa

Ms. A. Subhashini, Adv.

Manipur

Mr. Kh. Nobin Singh, Adv.

Mr. S. Biswajit Meitei, Adv.

Mr. B.V. Niren, Adv.

Karnataka

Mr. Sanjay R. Hegde, Adv.

Mr. Anil K. Mishra, Adv.

Mr. Vikrant Yadav, Adv.

Mr. Sashidhar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. Harish N.Salve, Learned Amicus Curiae has given certain

suggestions. Let response, if any, be filed by the parties by 5  
th April, 2007.

List these matters on 16th April, 2007.

If learned Amicus Curiae has any further suggestions on the basis of

7

response, that can be done before that date.

(Shashi Sareen)

Court Master

(Vijay Aggarwal)

Court Master