

ITEM NO.4

COURT NO.6

SECTION PIL, II & X

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(s). 135 OF 2003

ANIL SHARMA

Petitioner(s)

VERSUS

STATE OF HARYANA & ANR.

Respondent(s)

(With appln(s) for stay, intervention, modification of Court's Order and office report)

(FOR FINAL DISPOSAL)

WITH W.P(CRL.) NO. 200 of 2003

(With appln.(s) for stay and office report) (FOR FINAL DISPOSAL)

W.P(CRL.) NO. 267 of 2003

(With appln.(s) for exemption from filing O.T., directions, intervention, bringing on

record addl. documents and office report) (FOR FINAL DISPOSAL)

CRL. APPEAL NO. 406 of 2004

(With appln.(s) for impleading party, stay, deletion of the name of respondent,

directions, modification of court's order and office report)

CRL. APPEAL NO. 408 of 2004

(With appln.(s) for deletion of the name of respondent and bail, release of the petitioner and office report)

CRL. APPEAL NO. 415 of 2004

(With appln.(s) for directions, deletion of the name of the respondent, exemption from filing c/c of the impugned judgment and office report)

CRL. APPEAL NO. 412 of 2004

(With appln.(s) for stay and office report)

CRL. APPEAL NO. 413 of 2004

(With appln.(s) for stay)

CRL. APPEAL NO. 414 of 2004

(With appln.(s) for stay, exemption from filing c/c of the impugned judgment, exemption from surrendering)

CRL. APPEAL NO. 410 of 2004

(With appln.(s) for stay and office report)

CRL. APPEAL NO. 411 of 2004

(With appln.(s) for exemption from filing c/c of the impugned judgment, deletion of the name of respondent, stay, bringing LRs on record and office report)

CRL. APPEAL NO. 407 of 2004

(With appln.(s) for stay, deletion of the name of respondent and office report)

W.P(CRL.) NO. 5-6 of 2005

(With appln.(s) for interim relief and office report)

CRL. APPEAL NO. 982 of 2006

(With office report)

Date: 24/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

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For Petitioner(s)

In-person

Mr. Varinder Kumar Sharma, Adv.

Dr. Ramesh K. Haritash, Adv.

Mr. Dharam Singh, Adv.

Dr. Kailash Chand, Adv.

WP(Cr1)267/03

Mr. Krishnan Venugopal, Adv.

Mr. Sidharth Singh, Adv.

Mr. Naresh Kumar, Adv.

Mr. Badri Prasad Singh, Adv.

Mr. S.K. Sabharwal, Adv.

Mrs Rachna Gupta, Adv.

In Crl.A.414/04

Mr. Imtiaz Ahmed, Adv.

Mrs. Nagma Imtiaz, Adv.

Mr. Abhishek Anand, Adv.

Mr. V.N. Raghupathy, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. M.P. Shorawala, Adv.

Ms. Kiran Suri, Adv.

Dr. (Mrs.) Vipin Gupta, Adv.

Mrs. Aiswarya Bhati, Adv.

Mr. K.S. Bhati, Adv.

For Respondent(s)

Mr.T.V.George ,Adv

Mrs. Santosh Singh ,Adv

Mr. S.K. Sabharwal ,Adv

Ms. Sushma Suri ,Adv

Mr. Ravi Prakash Mehrotra, Adv.

State of Karnataka

Mr. Sanjay R. Hegde, Adv.

Mr. Anil K. Mishra, Adv.

Mr. Vikrant Yadav, Adv.

Mr. Sashidhar, Adv.

State of W.B.

Mr. Tara Chand Sharma, Adv.

Ms. Neelam Sharma, Adv.

State of H.P.

Mr. J.S. Attri, AAG

Mr. Vivek Singh, Adv.

Mr. Subramonium Prasad, Adv.

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Crl.A.406/04

Mr. Shiva Pujan Singh, Adv.

Ms. Niranjana Singh, Adv.

Mr. Siddharth Singh, Adv.

Mr. G.H. Mirza, Adv.

Ms. Hemantika Wahi, Adv.

Ms. Shivangi, Adv.

State of Maharashtra

Mr. Ravindra Keshavrao Adsure, Adv.

Mr. Jatinder Kumar Bhatia, Adv.

Mr. Gopal Prasad, Adv.

Ms. Kamakshi S. Mehlwal, Adv.

Mr. V.G. Pragasaam, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Ansar Ahmad Chaudhary, Adv.

Mr. K.R. Sasiprabhu, Adv.

State of Bihar

Mr. Gopal Singh, Adv.

Mr. Rituraj Biswas, Adv.

Mr. Nishakant Pandey, Adv.

State of Tripura

Mr. Gopal Singh, Adv.

Mr. Rituraj Biswas, Adv.

Ms. Naresh Bakshi, Adv.

Mr. Tushar Bakshi, Adv.

Mr. Anis Suhrawardy, Adv.

Mr. B.B. Singh, Adv.

State of Orissa

Mr. Janaranjan Das, Adv.

Mr. Swetaketu Mishra, Adv.

State of Chhattisgarh Mr. Atul Jha, Adv.

Mr. Dharmendra Kumar Sinha, Adv.

Mr. Anil Shrivastav, Adv.

State of Manipur

Mr. Khwairakpam Nobin Singh, Adv.

Mr. David Rao, Adv.

Mr. S. Biswajit, Adv.

State of Sikkim

Mr. A. Mariarputham, Adv.

Ms. Aruna Mathur, Adv.

M/s. Arputham, Aruna & Co, Adv.

Mr. Ashok Mathur, Adv.

State of Goa

Ms. A. Subhashini, Adv.

Mrs. Anil Katiyar, Adv.

State of Assam

Mr. Riku Sarma, Adv.

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Mrs. Asha G. Nair, Adv.

Mr. P.P. Malhotra, ASG

Mr. S. Wasim A. Qadri, Adv.

Mr. R.C. Kathia, Adv.

Mr. D.S. Mahra, Adv.

All U.Ts.

Mr. S. Wasim A. Qadri, Adv.

Mr. D.S. Mahra, Adv.

Ms. Sumita Hazarika, Adv.

Mrs. D. Bharathi Reddy, Adv.

Mr. Praveen Chaturvedi, Adv.

State of Mizoram

Mr. K.N. Madhusoodhanan, Adv.

Mr. R. Sathish, Adv.

Mr. P.K. Jain, Adv.

Dr. S.K. Verma, Adv.

State of Punjab

Mr. R.K. Rathore, AAG

Mr. M.K. Verma, Adv.

Mr. Arun Kr. Sinha, Adv.

State of U.P.

Mr. Pramod Swarup, Adv.

Mr. Garvesh Kabra, Adv.

Mr. Javed Mahmud Rao, Adv.

Mr. Aruneshwar Gupta, Adv.

Mr. Anuvrat Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

All the intervention/impleadment applications are allowed.

W.P.(Cr1)No. 135/2003

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Counsel for the petitioner shall file a detailed synopsis (chart) to

show as under what Section of law the respondents were convicted, on

which date and when they were released on premature and what are the

sentences undergone by them.

Counsel for the petitioner is allowed to file within four weeks an

impleadment application in respect of those persons who have been released prematurely.

W.P.(Crl) 267/2003

Pursuant to the order passed by this Court on 31/10/2006,

seven States, viz. Bihar, Gujarat, Manipur, West Bengal, Kerala, Sikkim

and NCT of Delhi have filed response. Counsel for the State of

Maharashtra submits that the counter of State of Maharashtra will be

finalised within seven days. Rest of the States who have not filed response

pursuant to our order dated 31/10/2006 shall do so within eight weeks.

In the event of any State defaulted in filing counter within eight weeks the

State Home Secretary shall be personally present before this Court on the

next date of hearing.

Crl.M.P. 9793/2005

We have also issued notice in Crl.M.P. No. 9793/2005 on

09/12/2005. No response has been filed by any State till date. The

respective States shall also file counter within eight weeks. Contention has been raised by the States' counsel that no copy of CrI.M.P. has been served on them. Counsel for the petitioner shall make available application to all the State counsel within one week.

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List after eight weeks.

(Ravi P. Verma)

Court Master

(Anand Singh)

Court Master