

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). 175 OF 2005

SURAM CHAND

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.
(With office report)

Respondent(s)

Date: 12/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s)

Mr. P.V. Yogeswaran,Adv.

For Respondent(s)

Ms. Indira Jaising,ASG

Ms. Indra Sawhney,Adv.

Mr. C.K. Sharma,Adv.

Ms. Sushma Suri,Adv.

Mr. S.R. Singh,Sr.Adv.

Mr. Anis Suhrawardy ,Adv

Mr. S. Mehdi Imam,Adv.

Mr. Mohd. Parvez Dabas,Adv.

Mr. Tabrez Ahmed,Adv

Mr. Anil K. Jha ,Adv

Mr. Praveen Swarup ,Adv

Mr. Ratan Kumar Choudhuri ,Adv

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

Learned Additional Solicitor General submits that as far as Abdul Hayya Malik is concerned, he was being tried in connection with various pending cases. The deponent of the compliance affidavit was directed to file additional affidavit giving details of the matters in which the said Abdul Hayya Malik had been charged and the present status of the said cases, an affidavit has been filed to that effect from which it

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appears that at least four cases, namely, 177/96, Police Station Malsuma, 303/96, Police Station Soura, 6/2006, Police Station JIC, Jammu and 70/2006, Police Station Gharota, are pending and are being tried.

Having regard to the above and having heard learned counsel for the respective parties, we reiterate the earlier directions which had been given regarding the conclusion of the trial at an early date. Since the matters are pending from 1996, it is the responsibility of the Administration to ensure that the trials are concluded at least within a year from date. The learned Additional Solicitor General, Ms. Indira Jaising, Mr. S.R. Singh and Mr. Suhrawardy, learned counsel, representing the Central Government as well as the State of

Jammu and Kashmir are directed to convey these observations to the concerned authorities so that the same are followed in their two spirits. The State of Jammu and Kashmir is also to consider the possibility of having all these matters heard together.

As far as Waqar Shah, who was said to be in the process of deportation, the Union of India was directed to file an affidavit giving the status of the deportation proceeding. Ms. Indira Jaising has prayed for some time to file the said report. Let this matter be adjourned for a further period of two weeks for the said purpose.

(Ganga Thakur)
PS to Registrar

(Juginer Kaur)
Court Master