

ITEM NO.102

COURT NO.2

SECTION II-C

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2264/2015

(Arising out of impugned final judgment and order dated 26-08-2014 in DSR No. 1/2014 26-08-2014 in CRLA No. 563/2014 passed by the High Court Of Delhi At New Delhi)

RAHUL

Petitioner(s)

VERSUS

STATE OF DELHI MINISTRY OF HOME AFFAIRS &amp; ANR.

Respondent(s)

( IA No. 4735/2015 - Appln. for exempt from filing c/c of impugned order ; IA No. 4736/2015 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Crl) No. 597-598/2016 (II-C)

(IA No.109664/2017-I/A FOR PERMISSION TO FILE ANNEXURES A-1 TO A-39 IN THE FORM OF VOLUME II - LEGAL AID MATTER)

SLP(Crl) No. 3171-3172/2015 (II-C)

Date : 25-11-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Ms. Sonia Mathur, Sr. Adv. (AC)  
Mr. Harinder Mohan Singh, AOR  
Ms. Shabana, Adv.  
Mr. Sushil K. Dubey, Advocate  
Ms. Shivani Misra, Adv.  
Mr. Puneet Pathak, Adv.

Mr. A. Sirajudeen, Sr. Advocate  
Ms. Nidhi , AOR (SCLSC)

For Respondent(s) Ms. Aishwarya Bhati, Ld ASG  
Ms. Kiran Suri, Ld. Senior Advocate  
Mr. Prashant Singh , Advocate  
Mr. SS Ray, Advocate  
Ms. Ruchi kohli, Advocate  
Ms. Snidha Mehra, Adv.  
Mr. Abhishek Kumar, Adv.  
Mr. Abhay Kumar, Adv.

Mr. B. V. Balaram Das, AOR

Dr. Charu wali khanna àdvocate.  
Mr. Krishna Kumar àdvocate.  
Ms. Nandani Gupta advocate.  
Dr. (mrs. ) Vipin Gupta, AOR

Mr.A.Venayagam Balan, AOR  
Mr.C.M.Sundaram Iyer, Advocate

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

Mr. A. Sirajudeein and Ms. Sonia Mathur, learned Senior Advocates appearing for the petitioners pray for and are granted time till 30.11.2021 so that a note can be filed on behalf of the accused giving cross-reference to various factual aspects in the matter.

Since the petitioners have been awarded death sentence by the Trial Court, which has been confirmed by the High Court, in our view, certain facets of the matter touching upon the character and behavior of the petitioners, would be essential in order to have complete assessment in the matter.

We have passed certain directions in (i) *Manoj vs. State of Madhya Pradesh [Cr1. Appeal No.248-250 of 2015]* and (ii) *Mohd. Firoz vs State of Madhya Pradesh [Cr1. Appeal No.612 of 2019]* which directions were passed after conclusion of the arguments on the issue of conviction.

However, the assessment if made in advance, before the learned counsel advance their submissions, will be helpful in every respect. We therefore, direct<sup>1</sup>:

1. the respondent - State to place before us the report of the Probation Officer relating to the petitioner(s) as early as possible and preferably by 03.12.2021.

<sup>1</sup>(Directions given in SLP(Cr1.) Dy. No.5964/2019 -[Vikas Chaudhary vs. The State (NCT of Delhi) by the Bench comprising Hon'ble Mr. Justice K.M. Joseph and Hon'ble Mr. Justice S. Ravindra Bhat on 05.08.2021)

2. We direct that the report of the Jail Administration about the nature of the work done by petitioner(s) while in jail be placed before us by 03.12.2021.

3. We also feel that the interest of justice dictates that we obtain a psychological evaluation of the petitioners. We direct the Director, VIMHANS to constitute a suitable team for the psychiatric evaluation of the petitioners in all the three cases. The said report also be placed before us by 03.12.2021.

The Jail Authorities shall co-operate with the team of experts for facilitating access and due evaluation of the petitioners in all respects.

A copy of this order be communicated to the Director VIMHANS.

Ms. Mathur, learned Senior Advocate submits that the relatives of the petitioners-accused have also had various interactions with the accused and they be given liberty to place their affidavits on record.

Liberty is granted.

Let Lower Court Record (in physical) be summoned.

In the meantime, the Registry is directed to have the print out of the record received in digitized form.

List the matter on 30.11.2021.

(INDU MARWAH)  
COURT MASTER (SH)

(VIRENDER SINGH)  
BRANCH OFFICER