

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No. 428/2023

INDIAN MUSLIM FOR PROGRESS AND REFORMS IMPAR  
VERSUS

Petitioner(s)

UNION OF INDIA & ORS.  
(FOR ADMISSION)

Respondent(s)

Date : 21-04-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Javed R Shaikh, Adv.  
Mr. Feroz Khan Ghazi, Adv.  
Mr. Rizwan Ahmad, AOR  
Mr. Amir Kaleem, Adv.  
Mr. Paras Nath Singh, Adv.  
Mr. Shakeel Ahmed, Adv.  
Mr. Mohd Wasiq Khan, Adv.  
Mr. Shaikh Saipan Dastgir, Adv.  
Mr. Mithlesh Kumar, Adv.

For Respondent(s)

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

This writ petition is stated to be filed in public interest seeking *inter alia* the implementation of the directions issued by this Court in the case of *Tehseen S. Poonawalla v. Union of India and Others* (2018) 9 SCC 501.

We have heard Shri Javed R. Shaikh, learned counsel for the petitioner.

During the course of his submission, he drew our attention to the pertinent passage in the aforesaid judgment wherein it was directed that the States shall frame a scheme for the purpose of providing victim compensation in cases of lynching/mob violence under Section 357A of the Code of

Criminal Procedure, 1973. He submitted that certain States have formulated a scheme while many of the States have not done so till date. It was further submitted that the said judgment had given guidelines as to the manner in which the victim compensation scheme had to be formulated inasmuch as the State Governments have to give due regard to the nature of the bodily injury, psychological injury and loss of earnings including other opportunities such as loss of educational opportunities and expenses incurred on account of the suffering due to the mob lynching/ mob violence.

In this regard it was submitted that the endeavour of the petitioner is to seek implementation of the directions issued by this Court in the aforesaid judgment and further to have as far as possible a uniform policy for grant of *ex-gratia* compensation to the victims of hate crime/ mob lynching.

Having heard learned counsel for the petitioner, we issue notice to the respondents.

The respondents are directed to file their respective affidavits with regard to the implementation of the directions issued in the aforesaid case and the manner in which it has been done.

The said affidavit shall be filed within a period of eight weeks from the date of the service of notice.

(NIDHI AHUJA)  
AR-cum-PS

(RENU KAPOOR)  
ASSISTANT REGISTRAR