

ITEM NO.10

COURT NO.1

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No.19206/2023

(Arising out of impugned final judgment and order dated 27-03-2023 in WP(C) No.229/2023 passed by the High Court of Manipur at Imphal)

DINGANGLUNG GANGMEI

Petitioner(s)

VERSUS

MUTUM CHURAMANI MEETEI & ORS.

Respondent(s)

(With IA No.100067/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 96003/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No.96000/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.147906/2023 - INTERLOCUTARY APPLICATION, IA No.144564/2023 - INTERLOCUTARY APPLICATION, IA No.155289/2023 - INTERVENTION APPLICATION, IA No.100064/2023 - INTERVENTION/IMPLEADMENT, IA No.155292/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No.96002/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.147907/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No.96001/2023 - PERMISSION TO FILE SLP)

WITH W.P.(C) No.540/2023 (PIL-W)

(With IA No.103548/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.115711/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.100121/2023 - INTERVENTION APPLICATION, IA No.104041/2023 - INTERVENTION/IMPLEADMENT and IA No.104107/2023 - INTERVENTION/IMPLEADMENT)

W.P.(C) No.572/2023 (PIL-W)

(With IA No.104680/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.154993/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 144180/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.142744/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.104681/2023 - EXEMPTION FROM FILING O.T., IA No.104131/2023 - GRANT OF INTERIM RELIEF, IA No.154986/2023 - INTERVENTION APPLICATION and IA No.142741/2023 - INTERVENTION

APPLICATION)**W.P.(C) No.574/2023 (X)****(With IA No.104941/2023 - EXEMPTION FROM FILING O.T. and IA No.104939/2023 - GRANT OF INTERIM RELIEF)****W.P.(C) No.576/2023 (PIL-W)****(With IA No.134039/2023 - CLARIFICATION/DIRECTION, IA No.113486/2023 - CLARIFICATION/DIRECTION and IA No.105227/2023 - GRANT OF INTERIM RELIEF)****W.P.(Crl.) No.321/2023 (PIL-W)****(With IA No.143696/2023-PERMISSION TO APPEAR AND ARGUE IN PERSON)****W.P.(Crl.) No.327/2023 (X)****(With IA No.146435/2023-APPROPRIATE ORDERS/DIRECTIONS and IA No.146436/2023-APPLICATION FOR FILING THE PETITION WITHOUT DISCLOSING THE IDENTITY OF THE PETITIONER/RESPONDENT)****W.P.(Crl.) No.329/2023 (PIL-W)****Diary No.19210/2023 (XIV)****(With IA No.96006/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No.96004/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.96007/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.96005/2023 - PERMISSION TO FILE SLP)****W.P.(C) No.802/2023 (X)****(With IA No.154036/2023-GRANT OF INTERIM RELIEF)****W.P.(C) No.823/2023 (X)****Date : 25-08-2023 These matters were called on for hearing today.****CORAM :****HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE J.B. PARDIWALA****HON'BLE MR. JUSTICE MANOJ MISRA****For Petitioner(s)****SLPC D.19206/2023,****WPC 540/2023 &****SLPC D.19210/2023****Mr. Colin Gonsalves, Sr. Adv.****Mr. Satya Mitra, AOR****Ms. Hetvi Patel, Adv.****Mr. Nayab Gauhar, Adv.****Mr. Kamei Kaoliangpou, Adv.****Ms. Joicy, Adv.****Ms. Eliza Rumthao, Adv.**

WPC 572/2023	Mr. Nizam Pasha, Adv. Mr. Lzafeer Ahmad B. F., AOR Ms. Cheryl D Souza, Adv. Ms. Suroor Mander, Adv. Mr. Sidharth Kaushik, Adv. Mr. Shivendra Pandey, Adv. Ms. Aayushi Mishra, Adv.
WPC 574/2023	Mr. Ranjit Kumar, Sr. Adv. Ms. Tomthinnganbi Koijam, Adv. Mr. Niraj Bobby Paonam, Adv. Mr. Vishal Prasad, AOR
WPC 576/2023	Mr. Jaideep Gupta, Sr. Adv. Mr. Sapam Biswajit Meitei, Sr. Adv. Mr. Ahanthem Henry, Adv. Mr. Ahanthem Rohen Singh, Adv. Mr. David Ahongsangbam, Adv. Mr. Vivek Kumar, Adv. Mr. Mohan Singh, Adv. Ms. Rajkumari Banju, AOR
WPR 321/2023	Petitioner-in-person
WPR 327/2023	Mr. Javedur Rahman, AOR
WPR 329/2023	Ms. Vrinda Grover, Adv. Ms. Devika Tulsiani, Adv. Ms. Mannat Tipnis, Adv. Mr. Soutik Banerjee, Adv. Ms. Akriti Chaubey, AOR Mr. Kunwar Aditya Singh, Adv.
WPC 802/2023	Mr. Ranjit Kumar, Sr. Adv. Mr. L.K. Paonam, Adv. Ms. Tomthinnganbi Koijam, Adv. Mr. Niraj Bobby Paonam, Adv. Ms. Aswathi M.K., AOR
WPC 823/2023	Ms. Amrita Sarkar, AOR Mr. Siam Phaipi, Adv.

For Respondent(s)

Mr. R. Venkataramani, AG
 Mr. Tushar Mehta, SG
 Mr. Kanu Agarwal, Adv.
 Mr. Shuvodeep Roy, Adv.
 Mr. Pratyush Shrivastava, Adv.
 Mr. Anandh Venkataramani, Adv.
 Mrs. Vijayalakshmi Venkataramani, Adv.
 Mr. Vinayak Mehrotra, Adv.
 Ms. Mansi Sood, Adv.
 Mr. Chitvan Singhal, Adv.
 Ms. Sonail Jain, Adv.
 Mr. Abhishek Kumar Pandey, Adv.
 Mr. Raman Yadav, Adv.
 Mr. Kartikey Aggarwal, Adv.
 Mr. Arvind Kumar Sharma, AOR

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 Mr. Ahantham Rohen Singh, Adv.
 Mr. David Ahingsangbam, Adv.
 Mr. Vivek Kumar, Adv.
 Mr. Mohan Singh, Adv.
 Mr. Kumar Mihir, AOR

Mr. Tushar Mehta, SG
 Mr. Lenin Singh Hijam, Adv.Gen.
 Mr. Pukhrambam Ramesh Kumar, AOR
 Mr. Kanu Agarwal, Adv.
 Mr. Karun Sharma, Adv.

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 Mr. Shuvodeep Roy, Adv.

Ms. Bansuri Swaraj, Adv.
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 Ms. Ana Upadhyay, Adv.
 Ms. Manya Hasija, Adv.
 Ms. Mahamaya Chatterjee, Adv.

Mr. Tejasvi Gupta, Adv.
 Mr. Pawan Upadhyay, Adv.
 Mr. Rahul Sharma, Adv.

Mr. Gopal Shankar Narayan, Sr. Adv.
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Ms. Indira Jaising, Sr. Adv.
 Mr. Fuzail Ahmad Ayyubi, AOR
 Mr. Paras Nath Singh, Adv.
 Mr. Rohin Bhatt, Adv.
 Mr. Ibad Mushtaq, Adv.
 Ms. Akanksha Rai, Adv.

Ms. Shobha Gupta, Adv.
 Mr. Aditya Ranjan, AOR
 Ms. Tarjana Rai, Adv.

Ms. Meenakshi Chauhan, AOR

Mr. Junior Ngangom, Adv.
 Mr. Neeraj Kumar Gupta, AOR
 Mr. Abhisekh Kumar, Adv.
 Ms. Pallavi, Adv.

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

- 1 The details of the cases which have been transferred to the Central Bureau of Investigation (CBI) at the present point of time, are tabulated below:

Sl. No.	Number of Cases	Particular of the cases
1	20 cases	Molestation, rape and/or murder of women
2	03 cases	Loot of weapons
3	02 cases	Murder of males
4	01 case	Rioting

5	01 case	Conspiracy
	Total 27 cases	

- 2 At the present stage, bearing in mind the overall environment in Manipur and the need for ensuring a fair process of criminal justice administration, we issue the following directions:
- (i) We request the Chief Justice of the High Court of Gauhati to nominate one or more officers of the rank of Chief Judicial Magistrate and Sessions Judge in Gauhati, Assam;
 - (ii) The Chief Justice of the Gauhati High Court is requested to preferably select the Judges who are conversant in one or more languages of the State of Manipur to facilitate the proceedings;
 - (iii) All applications for the production of the accused who are in remand and judicial custody, extension of custody and all other proceedings in connection with the investigation are allowed to be conducted on the online mode bearing in mind both distance and security issues at the courts which will be so designated under (i) above;
 - (iv) The judicial custody of the accused if and when granted shall be permitted in Manipur in order to obviate transit;
 - (v) The statements of witnesses under Section 164 CrPC are permitted to be recorded in the presence of a local Magistrate in Manipur or as the case may be, the place where the witnesses reside outside Manipur;
 - (vi) The acting Chief Justice of the High Court of Manipur shall designate one or more Magistrates as the need may arise for the purpose of recording the statements under Section 164 CrPC;

- (vii) The Test Identification Parades (TIPs) are permitted to take place in the presence of a Manipur based Magistrate, among the Magistrates who are designated by the acting Chief Justice in pursuance of above clause (vi) of the above directions; and
- (viii) Applications such as seeking search and arrest warrants are permitted to be made by the investigating officers through the online mode.
- 3 The Solicitor General has assured that the Government of Manipur shall take all necessary steps to ensure that proper internet connectivity is made available from the State of Manipur to facilitate compliance with the above directions.
- 4 The above directions shall not operate to preclude any person or witness who desires to appear in-person to do so before the assigned court in Guwahati.
- 5 In addition to above, we issue the following procedural directions:
- (i) The Ministry of Home Affairs of the Union Government shall designate a Nodal Officer, not below the rank of Joint Secretary for coordinating the implementation of the directions of this Court and providing all logistical and other necessary support to the Committee chaired by Justice Gita Mittal for discharging the mandate of order dated 07.08.2023 of this Court.
- (ii) The Chief Secretary of the Government of Manipur shall designate a Nodal Officer not below the rank of Commissioner/Secretary for coordinating the implementation of the directions of this Court and providing all logistical and other necessary support to the Committee for discharging the mandate of order dated 07.08.2023 of this Court.

- (iii) The Ministry of Home Affairs, Government of India shall be responsible for bearing all the expenses of the Committee including administrative, transport, conveyance and accommodation. The Committee shall communicate the expenses incurred by it to the Nodal Officer. The Ministry shall ensure that the expenses are forthwith reimbursed to the Committee.
- (iv) It shall be the responsibility of the Government of India and Government of Manipur to ensure appropriate accommodation and facilities to the Committee and staff during their visit(s) to Manipur and ensure adequate and appropriate security to them.
- (v) The Government of Manipur and the High Court of Manipur shall ensure availability of adequate secretarial facilities to the Committee while in Manipur as may be necessary to discharge the mandate of the Order dated 07.08.2023.
- (vi) The above directions to the Union of India and State of Manipur shall also apply to the work entrusted to Shri Dattatray Padsalgikar in terms of the previous order. All assistance required by Shri Padsalgikar shall be extended to him.
- (vii) The Ministry of Electronics and Information Technology (MEITY) shall assist the Committee and ensure expeditious creation of a website/platform to enable the public to place relevant material and information for the consideration of the Committee.
- (viii) The contact details of the Nodal Officers should be communicated to the Committee within a week of the passing of this order.

6 In paragraph 20(b)(i) of the judgment dated 7 August 2023, the date 4th May

2023 be read as 3rd May 2023. Serial number 5 of the table of offences mentioning the words "124A - Sedition" in paragraph 27(f) of the judgment dated 7 August 2023 stands deleted.

- 7 List the matter on 1 September 2023.

(CHETAN KUMAR)
A.R. - cum - P.S.

(RENU BALA GAMBHIR)
COURT MASTER