

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

SMW (Cr1.) No(s).1/2019

IN RE ALARMING RISE IN THE NUMBER OF REPORTED  
CHILD RAPE INCIDENTS

Petitioner(s)

(Mr. V. Giri, Sr. Advocate (A.C.))

IA No. 135383/2019 - CLARIFICATION/DIRECTION  
IA No. 132386/2019 - CLARIFICATION/DIRECTION  
IA No. 132388/2019 - EXEMPTION FROM FILING O.T.  
IA No. 135376/2019 - INTERVENTION APPLICATION  
IA No. 132359/2019 - INTERVENTION/IMPLEADMENT  
IA No. 135378/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 06-09-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

Counsel for the parties:

By Courts Motion, AOR

Mr. S.S. Rathi, Registrar  
Supreme Court of India

Mr. Tushar Mehta, SG  
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Mr. Kanu Agrawal, Adv.  
Ms. Neela Gokhale, Adv.  
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Ms. Rishi Raj Sharma, Adv.

Saumya Jay Karan Singh, Adv.  
Ms. Harshita Raghuvanshi, Adv.

Mr. V. Giri, Sr. Adv.  
Ms. S. Shankar, Adv.  
Mr. Krishna Dev Jagarlamudi, AOR  
Ms. Uttara Babbar, AOR

Mr. Suhaan , Adv.  
Ms. Kajal Dalal, Adv.  
Mr. Amit Verma, Adv.  
Mr. Abhishek Manchanda, Adv.  
Mr. Naveen Kumar, Adv.  
M/s. PLR Chambers & Co., AOR

Intervenor-in-person, AOR

Mr. R. Rama Krishna Reddy, Adv.  
Ms. Poonam Kaushik, Adv.  
Ms. Gagan Deep Kaur, Adv.  
Mrs. D. Bharathi Reddy, Adv.

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Ms. Bansuri Swaraj, Adv.  
Ms. Arshiya Ghose, Adv.  
Mr. Divyansh Tiwari, Adv.  
Mr. Shourajeet Chakravarty, Adv.  
Ms. Ana Upadhyay, Adv.

Ms. Garima Prashad, Adv.  
Ms. Akshara Chauhan, Adv.

Mr. Milind Kumar, AOR  
Mr. Abhinav Mukerji, AOR  
Mr. Subhasish Mohanty, AOR

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

Pursuant to our direction dated 02.09.2019 the District & Sessions Judge (West) has submitted his report. We have carefully gone through the report and we find that the District & Sessions Judge has indeed moved with great efficiency and alacrity in proceeding with the cases. He has, however, prayed for some more time in each of the cases. We accept the request of the District & Sessions Judge and grant extension as requested by him. We also

make it clear that if the District & Sessions Judge finds it realistically impossible to complete the trial during the extended period also he is at liberty to move this Court for further extension of time. We also found in the report of the District & Sessions Judge that he has requested the High Court of Delhi for permission to hold Court at AIIMS for the purpose of recording the statement of the witnesses. We request the High Court of Delhi to take appropriate decision in the matter at the earliest.

The CBI seeks two more weeks' time to complete the investigation in R.C. No.12 of 2019. We have gone through the report of the CBI, we accept the submission and extend the time by two weeks.

Learned counsel for the CBI states that in R.C. No.11 of 2018 the chargesheet under Section 173 Cr.P.C. will be filed within two weeks from today.

Learned counsel for the accused has also filed an application and according to him in the trial in R.C. No.8 of 2018 he would like to confront the prosecution witnesses with the statements recorded by the investigating authority in R.C. No.11 of 2018. It is but obvious that it is for the Trial Court to decide whether it is necessary to confront the witnesses with the previous statements or not. If it comes to the conclusion that confrontation is necessary then the Trial Court may defer the cross-examination of the witnesses till the filing of the chargesheet in R.C. No.11 of 2018 and if any further time is required by the Trial Court to complete the trial, it may file an application in this behalf to this Court for extension of time.

On the larger issue with regard to the setting up of exclusive POCSO Courts, in all districts where there are more than 100 cases pending, the Solicitor General prays for another three weeks time to file a report. As prayed, List on 25.09.2019.

We find that when we requested Mr. Giri to assist as Amicus Curiae there was a mistake in not appointing Advocate-on-Record to assist him. Therefore, we appoint Mr. Krishna Dev Jagarlamudi and Ms. Uttara Babbar as Advocates-on-Record.

(ARJUN BISHT)  
COURT MASTER (SH)

(RENU KAPOOR)  
BRANCH OFFICER