

ITEM NO.14

COURT NO.2

SECTION PIL-W

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

SUO MOTU WRIT PETITION (CRL.) No(s). 1/2022

IN RE: FRAMING GUIDELINES REGARDING
POTENTIAL MITIGATING CIRCUMSTANCES
TO BE CONSIDERED WHILE IMPOSING
DEATH SENTENCES

Petitioner(s)

VERSUS

Respondent(s)

Date : 19-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

Counsel for the Parties:

Mr. K.K. Venugopal,
Attorney General for India
Mr. Ankur Talwar, Adv.
Ms. Suhasini Sen, Adv.
Ms. Chinmayee chandra, Adv.
Mr. Siddhant Kohli, Adv.
Mr. Shikhil Suri, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Siddhartha Dave, Sr. Adv./Amicus Curiae
Mr. K. Parameshwar, AOR
Ms. A. Sregurupriya, Adv.

Mohd. Irshad Hanif, AOR
Mohd. Rizwan Ahmad, Adv.
Mohd. Mujahid Ahmad, Adv.
Mr. Shakti U. Sheikh, Adv.
Ms. Shruti, Adv.

Mr. Saurabh Mishra, AAG
Ms. Shreya Rastogi, Adv.
Ms. Shivani Misra, Adv.
Ms. Ankita Choudhary, Adv.
Mr. Pashupati Nath Razdan, AOR
Ms. Rukhmini Bobde, Adv.
Mr. Prakhar Srivastav, Adv.

Mr. Gaurav Agrawal, AOR

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

In so far as the main issues which have been presented in this Suo Motu writ petition are concerned, we have heard Mr. K.K. Venugopal, Attorney General for India. We have also heard Mr. Siddhartha Dave, learned Senior Advocate and Mr. K. Parameshwar, learned Advocate who are appointed as Amicus Curiae to assist the Court and Ms. Shreya Rastogi, learned advocate appearing for Project 39-A.

Since the issues which were raised during discussion call for deeper consideration, we adjourn hearing of the main matter to 27.07.2022.

One of the features which came up for discussion was the policy of the State of Madhya Pradesh, which was adverted to in the order dated 24.02.2022. Our attention is invited to some of the documents to submit that the State was seeking to incentivise securing of capital punishment on part of the Public Prosecutors and that would undermine the prosecutorial independence, prosecutorial discretion, fair trial and judicial independence.

The arguments on the policy were advanced by Mr. K. Parameshwar, learned Amicus Curiae and Ms. Shreya Rastogi, learned advocate, while Mr. Saurabh Mishra, learned advocate for the State argued in response.

Arguments on the policy issue concluded and the order is reserved which shall be pronounced after Summer Vacation.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER