

ITEM NO.26

COURT NO.1

SECTION XIV

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

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 PETITION SLP)

WITH 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.540/2023 (PIL-W)

(With IA No.130954/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 115711/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 155266/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 103548/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 157612/2023 - INTERLOCUTARY APPLICATION, IA No. 155582/2023 - INTERLOCUTARY APPLICATION, IA No. 154999/2023

- INTERLOCUTARY APPLICATION, IA No.154824/2023 - INTERLOCUTARY APPLICATION, IA No. 154823/2023 - INTERLOCUTARY APPLICATION, IA No. 144163/2023 - INTERVENTION APPLICATION, IA No. 142916/2023 - INTERVENTION APPLICATION, IA No. 100121/2023 - INTERVENTION APPLICATION, IA No. 155427/2023 - INTERVENTION/IMPLEADMENT, IA No. 104107/2023 - INTERVENTION/IMPLEADMENT, IA No. 104041/2023 - INTERVENTION/IMPLEADMENT)

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

(With IA No.154993/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.144180/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.142744/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No.104680/2023 - 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, 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.(CrI.) No.321/2023 (PIL-W)

(With IA No.143696/2023-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(CrI.) No.327/2023 (X)

(With IA No.146436/2023 - APPLICATION FOR FILING THE PETITION WITHOUT DISCLOSING THE IDENTITY OF THE PETITIONER/RESPONDENT and IA No.146435/2023 - APPROPRIATE ORDERS/DIRECTIONS)

W.P.(CrI.) No.329/2023 (PIL-W)

W.P.(C) No.841/2023 (X)

W.P.(C) No.823/2023 (X)

W.P.(C) No.802/2023 (X)

(With IA No.154036/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No.875/2023 (X)

(With IA No.165144/2023-EX-PARTE AD-INTERIM RELIEF)

Date : 15-09-2023 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)

**Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Ajay Justice Shaw, Adv.
Ms. Sumita Hazarika, AOR**

**Ms. Aswathi M.K., AOR
Mr. L.K. Paonam, Adv.
Ms. Tomthinnganbi Koijam, Adv.
Mr. Niraj Bobby Paonam, Adv.**

Ms. Amrita Sarkar, AOR

**Mr. Huzefa Ahmedi, Sr. Adv.
Mr. Sanbha Rumnong, Adv.
Mr. M.f. Philip, Adv.
Ms. Lija Merin John, Adv.
Ms. Shahrukh Alam, Adv.
Ms. Purnima Krishna, AOR
Mr. Karamveer Singh Yadav, Adv.**

**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.**

**Mr. Nizam Pasha, Adv.
Mr. Javedur Rahman, AOR
Mr. Mudassir, Adv.
Mr. Arif Ali, Adv.**

Petitioner-in-person

**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. Mohan Singh, Adv.
Mr. Vivek Kumar, Adv.
Ms. Rajkumari Banju, AOR

Mr. Ranjit Kumar, Sr. Adv.
Ms. Tomthinnganbi Koijam, Adv.
Mr. Niraj Bobby Paonam, Adv.
Mr. Vishal Prasad, AOR

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.

Mr. Satya Mitra, AOR
Mr. Colin Gonsalves, Sr. Adv.
Ms. Hetvi Patel, Adv.
Mr. Kaoliangpou Kamei, Adv.
Ms. Alana Golmei, Adv.
Mr. Samuel Khobung, Adv.
Ms. Joicy Milun, Adv.
Ms. Eliza Rumthao, Adv.

For Respondent(s)

Mr. R. Venkataramani, AG
Mr. Tushar Mehta, SG
Mr. Shuvoddep Roy, Adv.
Mr. Kanu Agarwal, 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. Sonali Jain, Adv.
Mr. Raman Yadav, Adv.

Mr. Kartikey Aggarwal, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Sanjay R Hegde, Sr. Adv.
Mr. Ahantham Henry, Adv.
Mr. Ahantham Rohen Singh, Adv.
Mr. David Ahongsangbam, 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 Agrawal, Adv.
Mr. Karun Sharma, Adv.

Mr. R. Venkataramani, AG
Mr. Tushar Mehta, SG
Mr. Shuvodeep Roy, Adv.
Mr. Pratyush Shrivastava, Adv.
Mr. Kanu Agrawal, Adv.
Dr. N. Visakamurthy, AOR

Mr. Gopal Shankar Narayan, Sr. Adv.
Ms. Anindita Mitra, AOR

Mr. Fuzail Ahmad Ayyubi, AOR

Mr. Maninder Singh, Sr. Adv.
Mr. Maibam Nabaghanashyam Singh, AOR
Mr. L.K. Paonam, Adv.
Ms. Tomthinnganbi Koijam, Adv.

Ms. Momota Devi Oinam, AOR

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

Ms. Meenakshi Chauhan, AOR

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

Mr. Sanjay R Hegde, Sr. Adv.
Mr. Ahantham Henry, Adv.
Mr. Ahantham Rohen Singh, Adv.
Mr. David Ahongsangbam, Adv.
Mr. Vivek Kumar, Adv.
Mr. Mohan Singh, Adv.
Mr. Kumar Mihir, AOR

Ms. Bansuri Swaraj, Adv.
Mr. Siddhesh Shirish Kotwal, AOR
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Ms. Mahamaya Chatterjee, Adv.
Mr. Tejasvi Gupta, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Rahul Sharma, Adv.

Ms. Bansuri Swaraj, Adv.
Mr. Siddhesh Shirish Kotwal, AOR
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Ms. Mahamaya Chatterjee, Adv.
Mr. Tejasvi Gupta, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Rahul Sharma, Adv.

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

- 1 A letter dated 13 September 2023 has been received from the Registrar General of the High Court of Manipur seeking clarifications on the role which is ascribed to the local Magistrates nominated by the Acting Chief Justice of the High Court in terms of the order of this Court dated 25 August 2023. The clarification which has been sought is in the following terms:

- “(i) Whether the local Magistrates designated by the Hon’ble Acting Chief Justice, High Court of Manipur will have to record the statement of the witnesses under Section 164 CrPC; or
- (ii) Whether the local Magistrates are required to perform supervisory role while the TIPs are conducted, or if they are merely to be present with the witnesses while the TIPs are conducted on online mode under the supervision of Magistrates from Assam.

- 2 We clarify that the statements under Section 164 CrPC shall be recorded by the local Magistrate designated by the Acting Chief Justice of the High Court of Manipur. However, if the victim/witness is situated outside the State of Manipur, the statement shall be recorded by the Magistrate having jurisdiction over the place where the victim/witness is temporarily residing. After the statement is duly recorded, it shall be remitted together with the digital record to the concerned Magistrate in the State of Assam. The TIPs shall be conducted by the local Magistrate in the State of Manipur.
- 3 If any difficulty arises in the implementation of these directions, liberty to mention before this Court for further directions.
- 4 The Registry shall share soft copies of the seventh to twelfth reports of the Committee with the Advocates-on-Record representing the parties in these proceedings. The reports should also be shared with the counsel instructing the Solicitor General of India.
- 5 The letter dated 14 September 2023 of the Registrar General of the Gauhati High Court is taken on the record.

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

(RENU BALA GAMBHIR)
COURT MASTER