

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSWrit Petition(s) (Civil) No(s). 1333/2026

M A BABY

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 319275/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 319608/2026 - CLARIFICATION/DIRECTION, IA No. 319612/2026 - CLARIFICATION/DIRECTION, IA No. 319611/2026 - CLARIFICATION/DIRECTION and IA No. 319609/2026 - CLARIFICATION/DIRECTION)

WITH

CONMT.PET.(C) No. 844/2026 (PIL-W)
(IA No. 317566/2026 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 318427/2026 - INTERVENTION APPLICATION)

W.P.(Crl.) No. 429/2026 (PIL-W)

W.P.(C) No. 1334/2026 (X)

W.P.(C) No. 1329/2026 (X)

Diary No(s). 64174/2026 (PIL-W)

(IA No. 322847/2026 - APPLICATION FOR EXEMPTION FROM FILING THE RESIDENTIAL ADDRESS OF RESPONDENT/CONTEMNOR WITH AFFIDAVIT, IA No. 319521/2026 - APPLICATION FOR PERMISSION and IA No. 319523/2026 - EXEMPTION FROM FILING O.T.)

Diary No(s). 64371/2026 (PIL-W)

(IA No. 322033/2026 - APPLICATION FOR EXEMPTION FROM FILING THE RESIDENTIAL ADDRESS OF RESPONDENT/CONTEMNOR WITH AFFIDAVIT and IA No. 320230/2026 - EXEMPTION FROM FILING AFFIDAVIT)

Diary No(s). 64328/2026 (PIL-W)

(IA No. 322043/2026 - APPLICATION FOR EXEMPTION FROM FILING THE RESIDENTIAL ADDRESS OF RESPONDENT/CONTEMNOR WITH AFFIDAVIT and IA No. 320703/2026 - APPLICATION FOR PERMISSION)

with

Item No. 23

Writ Petition(s) (Civil) No(s). 1354/2026

(IA No. 321834/2026 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 321835/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Item No. 24

Writ Petition(s) (Civil) No(s). 1353/2026

Item No. 25

Writ Petition(s) (Civil) No(s). 1351/2026

Item No. 26

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CONTEMPT PETITION (CIVIL) Diary No(s). 63943/2026

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CONTEMPT PETITION (CIVIL) Diary No(s). 63948/2026

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Writ Petition(s) (Criminal) No(s). 427/2026

(IA No. 319134/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 319156/2026 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 319331/2026 - INTERVENTION APPLICATION)

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Writ Petition(s) (Civil) No(s). 1365/2026

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Writ Petition(s) (Civil) No(s). 1359/2026

Item No. 45

Writ Petition(s) (Civil) No(s). 1356/2026

Item No. 46

Writ Petition(s) (Criminal) No(s). 436/2026

Date : 15-10-2026 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE JOYMALYA BAGCHI

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Ms. Jyoti Tiwary, Adv.
Mr. Krishnakant Dubey, Adv.
Ms. Jahnavi Verma, Adv.

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Mr. Siddharth Dave, Sr. Adv.
Mr. T. Bhaskar Gautam, Adv.
Mr. Praneet Pranav, Adv.
Mr. Amit Sharma, Adv.
Mr. Vikash Chandra Shukla- 3139, AOR
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Ms. Astha Singh, Adv.
Ms. Isha Barshiliya, Adv.

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Mr. Tarun Johri- 1213, AOR
Mr. Vishwajeet Tyagi, Adv.

Mr. Anil Hooda, Adv.
Mr. Varun Mishra- 3516, AOR
Mr. Shafik Ahmed, Adv.
Mr. Sushant Mehra, Adv.
Mr. Ajay Sharma, Adv.
Ms. Anju, Adv.
Mr. Himanshu Tyagi, Adv.

Mr. Sadashiv- 2364, AOR
Ms. Vandana, Adv.
Mr. Sunil Kumar, Adv.
Mr. Ashish Kumar Pandey, Adv.
Mr. Manoj Pandey, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Vaibhav Singh, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Swaraj Maurya, Adv.
Mr. Ritu Raj, Adv.
Mrs. Kanika, Adv.

Mr. Anantha Narayana M.g.- 2160, AOR

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Mr. Saurabh Mishra, Sr. Adv.
Mr. Sunil Dalal, Sr. Adv.
Mr. Rahul G. Tanwani, Adv.
Mr. Venkata Raghuvamsy D, Adv.
Mr. Alabhya Dhamija, Adv.
Ms. Divya Roy, Adv.
Mr. Saaketh Kasibhatla, Adv.
Mr. Vinay Krishna Kodali, Adv.
Mr. Kartik Brundavan, Adv.
Mr. Dharun Lakshman, Adv.
Mr. Subodh Patil, Adv.
Mr. Gautam Singh, Adv.
Mr. Praneet Pranav, Adv.
Mr. Ashish Kumar, Adv.
Mr. Nishant Kumar- 3203, AOR

Mr. Pawan Kumar Saxena, Adv.
Mr. Charan Dass, Adv.
Mr. Salik Ram, Adv.
Mr. Neeraj Srivastava, Adv.
Mr. Balajee D. Kotigiree, Adv.
Mr. Dhruva Kumar, Adv.
Mr. Ravi Kumar Mehta, Adv.
Mr. Dhruv Shankar Mishra, AOR

Mr. Piyush Beriwal, AOR
Mr. B.L. Shivhare, Adv.
Mr. Prateek Tanwar, Adv.
Mr. Ashok Kumar Pandey, Adv.
Mr. Vedansh, Adv.
Mr. Neeraj, Adv.
Ms. Ghazala Hashmi, Adv.
Ms. Prernaa Singh, Adv.
Ms. Sunita Saxena, Adv.
Mr. Amit Agarwal, Adv.
Mr. Abhishek Saket, Adv.
Ms. Archana Sharma, Adv.

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Ms. Ritu Reniwal, Adv.
Mr. Mahendra Kumawat, Adv.

Mr. Vinay Kumar Rai, Adv.
Ms. Modoyia Kayina, Adv.
Mrs. Rajshree Rai, Adv.
Mr. Saif Rizvi, Adv.
Mr. Shivam Tyagi, Adv.
Mr. Shreyaash Singh, Adv.

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M/s. R&R Law Associates, AOR

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Mr. Prateek Tanwar, Adv.
Mr. Amit Acharya, Adv.
Mr. Sparsh, Adv.
Ms. Ruchita Srivastava, Adv.
Mr. Mohit Joshi, Adv.
Mr. Saurav Kumar, Adv.
Mr. Ajit Pathak, Adv.
Ms. Sheetal R., Adv.
Mr. Abhishek Gupta, Adv.

Mr. Umesh Kumar Shukla, Adv.
Mr. Shishupal Singh, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. S.V. Raju, ASG
Ms. Ruchi Kohli, Sr. Adv.
Ms. Annam Venkatesh, Adv.
Mr. Bhuvan Kapoor, Adv.
Ms. Srishti Mishra, Adv.
Dr. N. Visakamurthy, AOR
Mr. A.K. Sharma, AOR

in Item 25

Mr. Tushar Mehta, Solicitor General
Mrs. Shubhra Parashar, Adv.
Mr. V.P.S. Charak, Adv.
Ms. Ritu Reniwal, Adv.
Mr. Mahendra Kumawat, Adv.

in Item 41

Mr. Suroor Mander, Adv.
Ms. Raghavi, Adv.
Ms. Aastha, Adv.
Ms. Tahini Bhushan, Adv.
Mr. Yashwant Singh, AOR

in Item 46

Mr. Shrey Ravi Dambhare- 3635, AOR

Mr. Pavan Narang, Sr. Adv.
Mr. Vijay Joshi, Adv.
Mr. Prateek Tanwar, Adv.
Mr. Amit Acharya, Adv.
Mr. Sparsh Jain, Adv.
Ms. Ruchita Srivastava, Adv.
Mr. Mohit Joshi, Adv.
Mr. Saurav Kuamr, Adv.
Mr. Ajit Pathak, Adv.

Ms. Sheetal, Adv.
Mr. Abhishek Gupta, Adv.
Mr. Piyush Beriwal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

W.P.(Civil) No.1333/2026 & connected matters (Item 22), W.P.(Civil) No. 1354/2026 (Item 23), W.P.(Civil) No.1348/2026 Writ Petition(s)(Civil) No(s). 1364/2026 (Item 26), Writ Petition(s)(Civil) No(s). 1363/2026 (Item 28), (Item 29), Writ Petition(s)(Civil) No(s). 1357/2026 (Item 31), Writ Petition(s)(Civil) No(s). 1366/2026 (Item 32) W.P.(Criminal) No. 434/2026 (Item 33), W.P.(Criminal) No. 437/2026 (Item 34), W.P.(Criminal) No. 417/2026 (Item 35), Diary No.63921/2026 (Item 36), Diary No.63943/2026 (Item 37), Diary No.63948/2026 (Item 38), Writ Petition(s)(Civil) No(s). 1336/2026 (Item 39), W.P.(Civil) No.1338/2026 (Item 42), W.P.(Civil) No.1365/2026 (Item 43), W.P.(Civil) No.1359/2026 (Item 44) and W.P.(Criminal) No.436/2026 (Item 46)

1. Issue notice in all the fresh matters.
2. Dasti, in addition, is permitted.
3. Dr. N. Visakamurthy, learned AOR accepted notice on behalf of the Union of India.
4. Ms. Aarthi Rajan, learned counsel (+919810069078), is appointed as Nodal Counsel on behalf of the petitioners, and Mr. Bhuvan Kapoor, learned counsel (+919919439598), is appointed as Nodal Counsel on behalf of the respondents. The Nodal Counsel shall segregate the cases into broad categories on or before 28.10.2026, so that a separate and comprehensive counter affidavit may be filed in respect of each group before the next date of hearing.
5. Meanwhile, as agreed to among the parties, all the Law Enforcement Agencies are directed to preserve the CCTV footage or any other digital evidence/material collected by them. Similarly, such material, if collected by the private parties, they shall be

at liberty to file the same before this Court.

6. The Union of India is also directed to place on record the order/orders promulgated under Section 163 of the BNSS in New Delhi, apart from the order dated 23.08.2026.

7. List on 03.11.2026.

Writ Petition(s) (Civil) No(s). 1353/2026 (Item 24), Writ
Petition(s) (Civil) No(s). 1351/2026 (Item 25), Writ
Petition(s) (Civil) No(s). 1356/2026 (Item 45)

1. Issue notice in returnable on 27.10.2026.

2. Dasti, in addition, is permitted.

3. Tag with W.P. (Civil) No. 1246/2026.

4. In W.P. (C) No. 1351/2026 (Item 25), the petition on behalf of Petitioner No. 6 is entertained on a provisional basis, subject to his explaining his conduct.

5. Dr. N. Visakamurthy, learned AOR accepted notice on behalf of the Union of India.

6. Reply, if any, be filed by the next date of hearing.

Writ Petition(s) (Civil) No(s). 1361/2026 (Item 27)

1. Issue notice, returnable on 05.11.2026.

2. Dasti, in addition, is permitted.

3. Dr. N. Visakamurthy, learned AOR accepted notice on behalf of the Union of India.

4. Reply, if any, be filed within two weeks.

5. Ms. Indira Jaising, learned senior counsel for the petitioner, agrees that during the course of the day, she will hand over the

material collected by the Petitioner-Association in a sealed envelope for the purpose of consideration of this Court, besides the names of former Judges/former Police Officers or other social activists. The same will be duly considered by us at an appropriate stage.

6. Meanwhile, no coercive action shall be taken against the woman journalist, whose complaint with respect to the alleged molestation is pending consideration.

Writ Petition(s) (Civil) No(s). 1360/2026 (Item 30)

1. Issue notice, returnable on 03.11.2026.
2. Dasti, in addition, is permitted.
3. Dr. N. Visakamurthy, learned AOR accepted notice on behalf of the Union of India.
4. Reply, if any, be filed within two weeks.

Writ Petition(s) (Civil) No(s). 1335/2026 (Item 40)

1. Oral submissions were made with regard to the vires of Section 163 BNSS. However, as the *pari materia* provision of Section 144 CrPC has been upheld in *Babulal Parate v. State of Maharashtra*, (1961) 3 SCR 423, we are not inclined to entertain the same.
2. Accordingly, issue notice, returnable on 19.11.2026, only on the limited issue pertaining to the constitutionality of Section 172 BNSS.
3. Dasti, in addition, is permitted.
4. Dr. N. Visakamurthy, learned AOR accepted notice on behalf of the Union of India.
5. Reply, if any, be filed within two weeks.

W.P. (Criminal) No. 429/2026 (Item 22.2) and W.P.(Criminal)
No.427/2026 (Item 41)

1. These petitions challenging the vires of the order(s) issued under Section 163 of the BNSS are adjourned to 19.11.2026.

At the time of this order being uploaded, we were informed that Dr. Visakamurthy, learned Advocate-on-Record, who had accepted notice in these matters on behalf of the Union of India, has unfortunately passed away following a cardiac arrest. We take this opportunity to express our deepest condolences.

Accordingly, liberty is granted to the Union of India to name another Advocate-on-Record in this regard.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR