Revised

ITEM NOS.36, 20, 21, 23, 37 to 55 COURT NO.1 SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 1333/2026

M A BABY **Petitioner(s)**

VERSUS

UNION OF INDIA & ORS. **Respondent(s)**

Ms. Aarthi Rajan, Learned Counsel has been appointed as Nodal Counsel on behalf of the Petitioners and Mr. Bhuvan Kapoor, Learned Counsel, has been appointed as Nodal Counsel on behalf of the Respondents vide Hon'ble Courts order dated 15.10.2026

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

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Digitally signed by NITIN MEHTA
Date: 2026.11.06 16:22:23 IST
Reason:

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

W.P.(C) No. 1367/2026 (PIL-W)

WITH

ITEM NO.20
Writ Petition(s)(Civil) No(s). 1373/2026
(IA No. 324652/2026 - APPLICATION FOR PERMISSION)

ITEM NO.21
Writ Petition(s)(Civil) No(s). 1406/2026
(IA No. 333294/2026 - EXEMPTION FROM FILING O.T.)

ITEM NO.23
Writ Petition(s)(Civil) No(s). 1395/2026
(IA No. 329251/2026 - GRANT OF INTERIM RELIEF)

ITEM NO.37
Writ Petition(s)(Criminal) No(s). 417/2026

ITEM NO.38
Writ Petition(s)(Criminal) No(s). 436/2026

ITEM NO.39
Writ Petition(s)(Criminal) No(s). 434/2026
(IA No. 320681/2026 – CLARIFICATION/DIRECTION)

ITEM NO.40
Writ Petition(s)(Criminal) No(s). 437/2026

ITEM NO.41
CONTEMPT PETITION (CIVIL) Diary No(s). 63943/2026

ITEM NO.42
Writ Petition(s)(Civil) No(s). 1364/2026

ITEM NO.43
Writ Petition(s)(Civil) No(s). 1363/2026
(IA No. 322672/2026 - APPROPRIATE ORDERS/DIRECTIONS)

ITEM NO.44
Writ Petition(s)(Civil) No(s). 1348/2026

ITEM NO.45
Writ Petition(s)(Civil) No(s). 1357/2026

ITEM NO.46
Writ Petition(s)(Civil) No(s). 1366/2026

ITEM NO.47
CONTEMPT PETITION (CIVIL) Diary No(s). 63921/2026

ITEM NO.48
CONTEMPT PETITION (CIVIL) Diary No(s). 63948/2026
(IA No. 318904/2026 - APPLICATION FOR PERMISSION)

ITEM NO.49
Writ Petition(s)(Civil) No(s). 1336/2026

ITEM NO.50
Writ Petition(s)(Civil) No(s). 1338/2026

ITEM NO.51
Writ Petition(s)(Civil) No(s). 1354/2026

ITEM NO.52
Writ Petition(s)(Civil) No(s). 1361/2026

ITEM NO.53
Writ Petition(s)(Civil) No(s). 1365/2026

ITEM NO.54
Writ Petition(s)(Civil) No(s). 1359/2026

ITEM NO.55
Writ Petition(s)(Civil) No(s). 1360/2026
(IA No. 331831/2026 - APPLICATION FOR PERMISSION, IA No. 331857/2026 – CLARIFICATION/DIRECTION, IA No. 325300/2026 – CLARIFICATION/DIRECTION, IA No. 322495/2026 - GRANT OF INTERIM RELIEF and IA No. 331829/2026 – INTERVENTION/IMPLEADMENT)

Date : 03-11-2026 These matters were called on for hearing today.

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HON'BLE MRS. JUSTICE V. MOHANA

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Mr. Abhishek Saket, Adv.
Ms. Archana Sharma, Adv.

Mr. Shrey Ravi Dambhare- 3635, AOR

Mr. Pavan Narang, Sr. Adv.
Mr. Piyush Beriwal, AOR
Ms. Jyoti Taneja, Adv.
Mr. Sparsh Jain, Adv.
Ms. Ruchita Shrivastava, Adv.

IN ITEM NO.40 Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.41 Mr. Tushar Mehta, Solicitor General
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Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
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IN ITEM NO.42 Mr. Tushar Mehta, Solicitor General
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Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.43 Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG

Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.44 Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.45 Mr. Tushar Mehta, Solicitor General
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Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
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IN ITEM NO.46 Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.48 Ms. Akansha, AOR
Ms. Eliza Barr, Adv.
Ms. Anjali Saxena, Adv.
Mr. Saanil Patnayak, Adv.
Mr. Govind Sharma, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.

Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.49 Mr. Bhuvan Kapoor, AOR

Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.50 Mr. Bhuvan Kapoor, AOR

Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.51 Mr. Bhuvan Kapoor, AOR

Mr. Tushar Mehta, Solicitor General
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Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.52 Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.

Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.53 Mr. Bhuvan Kapoor, AOR

Mr. Tushar Mehta, Solicitor General
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Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.54 Mr. Bhuvan Kapoor, AOR

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Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

IN ITEM NO.55 Dr. Abhishek Singhvi, Sr Adv, Sr. Adv.
Mr. Prasanna S.- 2919, AOR
Mr. Amit Bhandari,, Adv.
Ms. Tarannum Cheema, Adv.
Mr. Kanishka Singh, Adv.
Mr. Mohammad Khan,, Adv.
Mr. Akash Singh,, Adv.
Mr. Omar Hoda,, Adv.
Mr. Uday Bhatia, Adv.
Ms. Esha Baksh, Adv.
Ms. Injila Muslim Zaidi, Adv.
Mr. Maamidi Ashish Reddy, Adv.
Mr. Prasanna B, Adv.
Ms. Ishita Tulsyan, Adv.
Mr. Nikhil Bhalla, Adv.
Mr. Sumit Kumar Siddharth,, Adv.
Mr. Shouryaveer Singh, Adv.
Mr. Akshay Nagarajan, Adv.

Mr. Ramesh Babu, Sr. Adv.
Mr. Subash Chandran, Adv.
Ms. Kavitha K.T., Adv.
Mr. Sharat Gopal, Adv.
Mr. Syamkrishnan K., Adv.

Mr. Vinu Vincent, Adv.
M/s. Subash Chandran & Kavitha Law Associates, AOR

Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V. Raju, ASG
Ms. Aishwarya Bhati, ASG
Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

UPON hearing the counsel the Court made the following

O R D E R

A. PRELIMINARY

1. This batch of writ petitions and contempt petitions arises out of the prohibitory orders and restrictions imposed in the National Capital Territory of Delhi in October 2026, in connection with a protest proposed to be held at Jantar Mantar on 10.10.2026, and the events that followed. W.P.(C) Nos. 1373/2026, 1406/2026 and 1395/2026 (Item Nos. 20, 21 and 23), which are listed today as fresh matters, raise allied issues and are taken up along with this batch.

2. By our order dated 15.10.2026, Ms. Aarthi Rajan and Mr. Bhuvan Kapoor, learned counsel, were appointed as Nodal Counsel on behalf of the petitioners and the respondents, respectively. They were requested to segregate the cases into broad categories, so that a separate and comprehensive counter affidavit may be filed in respect of each group.

3. In compliance therewith, Ms. Aarthi Rajan, learned Nodal Counsel for the petitioners, at the outset, informed us that the matters forming part of this batch have been categorised, and that such categorisation, in a tabulated form, has been furnished to the office of the learned Solicitor General of India. A similar categorisation of documents has also been furnished to us by Mr. Bhuvan Kapoor, learned Nodal Counsel for the respondents. Revised categorisations, both dated 03.11.2026, have also been filed by each of the learned Nodal Counsel. The same are taken on record.

4. The two categorisations are, in substance, identical. They account for the same thirty-three matters and place each of them under the same head, save in one respect. The categorisation filed on behalf of the petitioners treats the petition concerning women journalists and the petition concerning police personnel as two distinct categories, whereas the categorisation filed on behalf of the respondents groups them under a single head. Since the two petitions arise from a common factual setting but seek distinct reliefs, we deem it appropriate to place them under one category, with two sub-categories.

5. The matters shall, accordingly, stand categorised as follows:

1. Main Writ Petition and Contempt Petitions;

2. Challenge to the de-notification of Jantar Mantar as a protest site;

3. Petitions concerning detention/removal;

4. Petitions challenging restrictions on protests;

4.1 Petitions challenging the order(s) issued under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS");

5. **Petitions concerning journalists;**

6. **Petitions concerning women journalists and police personnel;**

   6.1 Petition concerning women journalists;

   6.2 Petition concerning police personnel;

7. **Petitions concerning lawyers;**

8. **Petitions seeking regulation of protests;**

9. ***Habeas Corpus*;**

10. **Challenge to the *vires* of Section 172 of the BNSS; and**

11. **Petition concerning surveillance.**

B. CLARIFICATION OF PARAGRAPH 16(e) OF THE ORDER DATED 11.10.2026

6. Before proceeding, we deem it appropriate to clarify paragraph 16(e) of the order dated 11.10.2026 passed in Contempt Petition (Civil) Diary No. 63801/2026, since registered as Contempt Petition (Civil) No. 844/2026. Vide that direction, the authorities concerned were asked to take down a notice board, put up in the Supreme Court premises, stating that Section 163 of the BNSS had been invoked in and around the precincts of this Court.

7. The said direction was issued for the limited purpose of securing unhindered ingress to and egress from this Court and other Courts of law. Its object was to ensure that access to justice was not impeded, and that no Advocate, litigant, or person visiting an Advocate for professional consultation, was obstructed or deterred. It did not stay, suspend or otherwise dilute any prohibitory order issued under Section 163 of the BNSS, the validity whereof is the subject matter of W.P.(Crl.) Nos. 427/2026 and 429/2026, pending before us.

8. It has been brought to our notice that the said direction is being misconstrued, and is being misused by certain elements, as though it had lifted the prohibitory order(s) in the Supreme Court premises.

9. We, therefore, recall paragraph 16(e) of our order dated 11.10.2026 and clarify that nothing contained therein shall preclude the Competent Authority from displaying the notice afresh, subject to the condition that the free movement of Advocates, litigants and other persons having business before this Court, or any other Court, is properly regulated and not obstructed in any manner.

C. GENERAL DIRECTIONS

10. The matters shall henceforth be listed and heard category-wise, in the sequence set out hereinabove. The respondents may separately file their counter-affidavits or responses for each category.

11. To facilitate an orderly and effective hearing, learned Senior Counsel and counsel appearing in each category must coordinate through the respective Nodal Counsel and submit, in advance of the next date of hearing, the time they propose to take for oral arguments. Learned counsel espousing a common cause within a category are expected to avoid duplication of submissions.

12. Pending interlocutory applications in each matter shall be taken up along with the category to which that matter belongs.

D. CATEGORY-WISE DIRECTIONS

Category 1: Main Writ Petition and Contempt Petitions

(a) W.P.(C) No. 1333/2026 (Item No. 36) - lead case;

(b) CONMT.PET.(C) No. 844/2026 (Item No. 36.1);

(c) Contempt Petition (C) Diary No. 64174/2026 (Item No. 36.3);

(d) Contempt Petition (C) Diary No. 64371/2026 (Item No. 36.4);

(e) Contempt Petition (C) Diary No. 64328/2026 (Item No. 36.5);

(f) Contempt Petition (C) Diary No. 63943/2026 (Item No. 41);

(g) Contempt Petition (C) Diary No. 63921/2026 (Item No. 47); and

(h) Contempt Petition (C) Diary No. 63948/2026 (Item No. 48).

13. In Contempt Petition (C) Diary Nos. 64174/2026, 64371/2026 and 64328/2026, let copies of the contempt petitions be supplied to the office of the learned Solicitor General of India, who may file a common response thereto.

14. List the matters in this category on 18.11.2026.

Category 2: Challenge to the de-notification of Jantar Mantar as a protest site

(a) W.P.(C) No. 1357/2026 (Item No. 45).

15. List on 20.11.2026.

Category 3: Petitions concerning detention/removal

(a) W.P.(Crl.) No. 434/2026 (Item No. 39); and

(b) W.P.(Crl.) No. 437/2026 (Item No. 40).

16. List the matters in this category on 25.11.2026.

Category 4: Petitions challenging restrictions on protests

(a) W.P.(Crl.) No. 417/2026 (Item No. 37); and

(b) W.P.(C) No. 1354/2026 (Item No. 51).

Sub-category 4.1: Petitions challenging the order(s) issued under Section 163 of the BNSS

(a) W.P.(Crl.) No. 429/2026 is taken on Board; and

(b) W.P.(Crl.) No. 427/2026 is taken on Board.

17. W.P.(Crl.) Nos. 427/2026 and 429/2026 were adjourned to 19.11.2026 *vide* our order dated 15.10.2026. They shall be taken up along with the other matters in this category. List the matters in this category (i.e. 4 and 4.1) on 26.11.2026.

Category 5: Petitions concerning journalists

(a) W.P.(C) No. 1364/2026 (Item No. 42);

(b) W.P.(C) No. 1366/2026 (Item No. 46); and

(c) W.P.(C) No. 1373/2026 (Item No. 20).

18. In W.P.(C) No. 1373/2026, issue notice. Dasti, in addition, is permitted. Tag with W.P.(C) No. 1333/2026.

19. List the matters in this category on 26.11.2026.

Category 6: Petitions concerning women journalists and police personnel

Sub-category 6.1: Petition concerning women journalists

(a) W.P.(C) No. 1361/2026 (Item No. 52).

20. The Union of India shall file its counter affidavit during the course of the day. A copy thereof be supplied to Ms. Aarthi Rajan, learned AOR for the petitioner(s). Rejoinder affidavit, if any, be filed by 18.11.2026.

21. Post this matter on 23.11.2026.

Sub-category 6.2: Petition concerning police personnel

(a) W.P.(C) No. 1367/2026 (Item No. 36.7).

22. List on 30.11.2026.

Category 7: Petitions concerning lawyers

(a) W.P.(C) No. 1334/2026 (Item No. 36.6);

(b) W.P.(C) No. 1329/2026 (Item No. 36.2);

(c) W.P.(C) No. 1338/2026 (Item No. 50); and

(d) W.P.(C) No. 1348/2026 (Item No. 44).

23. List the matters in this category on 30.11.2026.

Category 8: Petitions seeking regulation of protests

(a) W.P.(C) No. 1336/2026 (Item No. 49);

(b) W.P.(C) No. 1365/2026 (Item No. 53);

(c) W.P.(C) No. 1359/2026 (Item No. 54);

(d) W.P.(C) No. 1360/2026 (Item No. 55);

(e) W.P.(C) No. 1363/2026 (Item No. 43); and

(f) W.P.(C) No. 1395/2026 (Item No. 23).

24. In W.P.(C) No. 1359/2026, learned Senior Counsel for the petitioner(s) seeks leave to amend the writ petition. Leave is granted. The amended writ petition be filed by 18.11.2026, with an advance copy to learned counsel for the respondent(s), who have already entered appearance.

25. In W.P.(C) No. 1360/2026, the Union of India and the other respondents shall file their counter affidavits on or before 18.11.2026. Post this matter on 23.11.2026.

26. In W.P.(C) No. 1395/2026, issue notice returnable on 18.11.2026. In case a separate counter affidavit is required to be filed, the same may be filed; otherwise, a copy of the counter

affidavit filed in the lead case, W.P.(C) No. 1333/2026, be supplied to learned counsel for the petitioners. Tag with W.P.(C) No. 1333/2026. The petitioners are directed to implead all the protesting organisations against whom allegations have been made in the writ petition.

27. List the other matters in this category on 26.11.2026.

Category 9: Habeas Corpus

(a) W.P.(Crl.) No. 436/2026 (Item No. 38).

28. I.A. No. 326856/2026 for intervention/impleadment is dismissed as withdrawn, with liberty to the applicant(s) to raise the same or additional grounds by way of an appropriate application in W.P.(C) No. 1395/2026.

29. List on 18.11.2026.

Category 10: Challenge to the vires of Section 172 of the BNSS

(a) W.P.(C) No. 1335/2026 is taken on Board.

30. Notice in this matter was issued vide our order dated 15.10.2026, returnable on 19.11.2026, on the limited issue pertaining to the constitutionality of Section 172 of the BNSS. List on 04.12.2026.

Category 11: Petition concerning surveillance

(a) W.P.(C) No. 1406/2026 (Item No. 21).

31. Issue notice. Dasti, in addition, is permitted. Tag with W.P.(C) No. 1333/2026.

32. List on 18.11.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

ITEM NOS.20, 21, 23 & 36 to 55 COURT NO.1 SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 1333/2026

M A BABY **Petitioner(s)**

VERSUS

UNION OF INDIA & ORS. **Respondent(s)**

Ms. Aarthi Rajan, Learned Counsel has been appointed as Nodal Counsel on behalf of the Petitioners and Mr. Bhuvan Kapoor, Learned Counsel, has been appointed as Nodal Counsel on behalf of the Respondents vide Hon'ble Courts order dated 15.10.2026

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

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

W.P.(C) No. 1367/2026 (PIL-W)

WITH

ITEM NO.20
Writ Petition(s)(Civil) No(s). 1373/2026
(IA No. 324652/2026 - APPLICATION FOR PERMISSION)

ITEM NO.21
Writ Petition(s)(Civil) No(s). 1406/2026
(IA No. 333294/2026 - EXEMPTION FROM FILING O.T.)

ITEM NO.23
Writ Petition(s)(Civil) No(s). 1395/2026
(IA No. 329251/2026 - GRANT OF INTERIM RELIEF)

ITEM NO.37
Writ Petition(s)(Criminal) No(s). 417/2026

ITEM NO.38
Writ Petition(s)(Criminal) No(s). 436/2026

ITEM NO.39
Writ Petition(s)(Criminal) No(s). 434/2026
(IA No. 320681/2026 – CLARIFICATION/DIRECTION)

ITEM NO.40
Writ Petition(s)(Criminal) No(s). 437/2026

ITEM NO.41
CONTEMPT PETITION (CIVIL) Diary No(s). 63943/2026

ITEM NO.42
Writ Petition(s)(Civil) No(s). 1364/2026

ITEM NO.43
Writ Petition(s)(Civil) No(s). 1363/2026
(IA No. 322672/2026 - APPROPRIATE ORDERS/DIRECTIONS)

ITEM NO.44
Writ Petition(s)(Civil) No(s). 1348/2026

ITEM NO.45
Writ Petition(s)(Civil) No(s). 1357/2026

ITEM NO.46
Writ Petition(s)(Civil) No(s). 1366/2026

ITEM NO.47
CONTEMPT PETITION (CIVIL) Diary No(s). 63921/2026

ITEM NO.48
CONTEMPT PETITION (CIVIL) Diary No(s). 63948/2026
(IA No. 318904/2026 - APPLICATION FOR PERMISSION)

ITEM NO.49
Writ Petition(s)(Civil) No(s). 1336/2026

ITEM NO.50
Writ Petition(s)(Civil) No(s). 1338/2026

ITEM NO.51
Writ Petition(s)(Civil) No(s). 1354/2026

ITEM NO.52
Writ Petition(s)(Civil) No(s). 1361/2026

ITEM NO.53
Writ Petition(s)(Civil) No(s). 1365/2026

ITEM NO.54
Writ Petition(s)(Civil) No(s). 1359/2026

ITEM NO.55
Writ Petition(s)(Civil) No(s). 1360/2026
(IA No. 331831/2026 - APPLICATION FOR PERMISSION, IA No. 331857/2026 – CLARIFICATION/DIRECTION, IA No. 325300/2026 – CLARIFICATION/DIRECTION, IA No. 322495/2026 - GRANT OF INTERIM RELIEF and IA No. 331829/2026 – INTERVENTION/IMPLEADMENT)

Date : 03-11-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) : Mr. Gaurav Bhatia, Sr. Adv.
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Mr. Neelamani Guha, Adv.
Mr. Digant Mishra, Adv.
Mr. Divyansh Bisht, Adv.
Ms. Devjani Deka Bharali, Adv.
Ms. Shweta Garg- 1513, AOR

Mr. Rajiv Shakder, Sr. Adv.
Mr. Yashwant Singh- 3912, AOR
Ms. Suroor Mander, Adv.
Ms. Tahini Bhushan, Adv.
Ms. Mishika Singh, Adv.
Ms. Aastha Bhardwaj, Adv.
Ms. Raghavi Shukla, Adv.
Mr. Syed Rafat Jahan, Adv.
Ms. Mahima Chauhan, Adv.

Ms. Abiha Zaidi- 3474, AOR

Mr. Pradeep Kumar Rai, Sr. Adv.
Mr. Rahul Kaushik, Sr. Adv.
Ms. Aparna Bhat, Sr. Adv.
Ms. Ruchi Kohli, Sr. Adv.

Mr. Nachiketa Joshi, Sr. Adv.
Mr. P.H. Parekh, Sr. Adv.
Mr. Pijush Kanti Roy, Sr. Adv.
Mr. Ravi Shankar Jandhyala, Sr. Adv.
Mrs. Pragya Baghel- 1841, AOR
Mr. Meenesh Kumar Dubey, Adv.
Mr. Reepak Kansal, Adv.
Mr. Aditya Singh, Adv.
Mr. Varun Mudgal, Adv.
Ms. Divya Garg, Adv.
Mr. Umesh Babu Chaurasia, Adv.
Ms. Kumud Lata Das, Adv.
Mr. Rohit Vats, Adv.
Ms. Ruma Pathak, Adv.
Dr. Jasmin Kurian Giri, Adv.
Ms. Samta Pushkarna Mishra, Adv.
Mr. Gautam Kumar, Adv.

Mr. Devvrat, President SCAORA, Adv.
Ms. Yugandhra Pawar Jha, Secretary, SCAORA, Adv
Mr. Aljo Joseph, Adv.
Ms. Khushbu Sahu, Adv.
Ms. Nivedita Nair, Adv.
Dr. Meenakshi Kalra, Adv.
Mr. Anas Tanwir- 2963, AOR

Mr. Chand Qureshi- 3063, AOR
Ms. Maneka Guruswamy, Adv.
Mr. Shailendra Mani Tripathi In Person, Adv.
Mr. Priyendu Raghav Mishra, Adv.
Mr. Vishal Kumar, Adv.
Mr. Tayyab Khan Salmani, Adv.
Mr. Harish Lodhi, Adv.
Mr. Mujahid Ahmad, Adv.
Mr. Imran Siddiqui, Adv.
Ms. Davinder Pal Kaur, Adv.

Mr. Kapil Sibal, Sr. Adv.
Mr. N Hariharan, Sr. Adv.
Mr. P.v Dinesh, Sr. Adv.
Mr. Subhash Chandran K.r- 3704, AOR
Mr. Anirudh K.p, Adv.
Ms. Aparajita Jamwal, Adv.
Ms. Sumedha Sarkar, Adv.
Mr. Rishabh Parikh, Adv.
Mr. Sidharth Kaushik, Adv.
Mr. Nikhil Pahwa, Adv.
Mr. Kabir Singh, Adv.
Mr. Kamun Singh, Adv.
Ms. Ashima Mandla, Adv.
Ms. Mandakini Singh, Adv.
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Mr. K.M. Nataraj, ASG
Ms. Astha Singh, Adv.
Mr. Anmol Chandan, Adv.
Mr. Annam Venkatesh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. S.N. Terdal, AOR

UPON hearing the counsel the Court made the following

O R D E R

A. PRELIMINARY

1. This batch of writ petitions and contempt petitions arises out of the prohibitory orders and restrictions imposed in the National Capital Territory of Delhi in October 2026, in connection with a protest proposed to be held at Jantar Mantar on 10.10.2026, and the events that followed. W.P.(C) Nos. 1373/2026, 1406/2026 and 1395/2026 (Item Nos. 20, 21 and 23), which are listed today as fresh matters, raise allied issues and are taken up along with this batch.

2. By our order dated 15.10.2026, Ms. Aarthi Rajan and Mr. Bhuvan Kapoor, learned counsel, were appointed as Nodal Counsel on behalf of the petitioners and the respondents, respectively. They were requested to segregate the cases into broad categories, so that a separate and comprehensive counter affidavit may be filed in respect of each group.

3. In compliance therewith, Ms. Aarthi Rajan, learned Nodal Counsel for the petitioners, at the outset, informed us that the matters forming part of this batch have been categorised, and that

such categorisation, in a tabulated form, has been furnished to the office of the learned Solicitor General of India. A similar categorisation of documents has also been furnished to us by Mr. Bhuvan Kapoor, learned Nodal Counsel for the respondents. Revised categorisations, both dated 03.11.2026, have also been filed by each of the learned Nodal Counsel. The same are taken on record.

4. The two categorisations are, in substance, identical. They account for the same thirty-three matters and place each of them under the same head, save in one respect. The categorisation filed on behalf of the petitioners treats the petition concerning women journalists and the petition concerning police personnel as two distinct categories, whereas the categorisation filed on behalf of the respondents groups them under a single head. Since the two petitions arise from a common factual setting but seek distinct reliefs, we deem it appropriate to place them under one category, with two sub-categories.

5. The matters shall, accordingly, stand categorised as follows:

1. Main Writ Petition and Contempt Petitions;

2. Challenge to the de-notification of Jantar Mantar as a protest site;

3. Petitions concerning detention/removal;

4. Petitions challenging restrictions on protests;

4.1 Petitions challenging the order(s) issued under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS");

5. Petitions concerning journalists;

6. Petitions concerning women journalists and police personnel;

6.1 Petition concerning women journalists;

6.2 Petition concerning police personnel;

7. Petitions concerning lawyers;

8. Petitions seeking regulation of protests;

9. *Habeas Corpus*;

10. Challenge to the *vires* of Section 172 of the BNSS; and

11. Petition concerning surveillance.

B. CLARIFICATION OF PARAGRAPH 16(e) OF THE ORDER DATED 11.10.2026

6. Before proceeding, we deem it appropriate to clarify paragraph 16(e) of the order dated 11.10.2026 passed in Contempt Petition (Civil) Diary No. 63801/2026, since registered as Contempt Petition (Civil) No. 844/2026. Vide that direction, the authorities concerned were asked to take down a notice board, put up in the Supreme Court premises, stating that Section 163 of the BNSS had been invoked in and around the precincts of this Court.

7. The said direction was issued for the limited purpose of securing unhindered ingress to and egress from this Court and other Courts of law. Its object was to ensure that access to justice was not impeded, and that no Advocate, litigant, or person visiting an Advocate for professional consultation, was obstructed or deterred. It did not stay, suspend or otherwise dilute any prohibitory order issued under Section 163 of the BNSS, the validity whereof is the subject matter of W.P.(Crl.) Nos. 427/2026 and 429/2026, pending before us.

8. It has been brought to our notice that the said direction is being misconstrued, and is being misused by certain elements, as

though it had lifted the prohibitory order(s) in the Supreme Court premises.

9. We, therefore, recall paragraph 16(e) of our order dated 11.10.2026 and clarify that nothing contained therein shall preclude the Competent Authority from displaying the notice afresh, subject to the condition that the free movement of Advocates, litigants and other persons having business before this Court, or any other Court, is properly regulated and not obstructed in any manner.

C. GENERAL DIRECTIONS

10. The matters shall henceforth be listed and heard category-wise, in the sequence set out hereinabove. The respondents may separately file their counter-affidavits or responses for each category.

11. To facilitate an orderly and effective hearing, learned Senior Counsel and counsel appearing in each category must coordinate through the respective Nodal Counsel and submit, in advance of the next date of hearing, the time they propose to take for oral arguments. Learned counsel espousing a common cause within a category are expected to avoid duplication of submissions.

12. Pending interlocutory applications in each matter shall be taken up along with the category to which that matter belongs.

D. CATEGORY-WISE DIRECTIONS

Category 1: Main Writ Petition and Contempt Petitions

(a) W.P.(C) No. 1333/2026 (Item No. 36) - lead case;

(b) CONMT.PET.(C) No. 844/2026 (Item No. 36.1);

(c) Contempt Petition (C) Diary No. 64174/2026 (Item No. 36.3);

(d) Contempt Petition (C) Diary No. 64371/2026 (Item No. 36.4);

(e) Contempt Petition (C) Diary No. 64328/2026 (Item No. 36.5);

(f) Contempt Petition (C) Diary No. 63943/2026 (Item No. 41);

(g) Contempt Petition (C) Diary No. 63921/2026 (Item No. 47); and

(h) Contempt Petition (C) Diary No. 63948/2026 (Item No. 48).

13. In Contempt Petition (C) Diary Nos. 64174/2026, 64371/2026 and 64328/2026, let copies of the contempt petitions be supplied to the office of the learned Solicitor General of India, who may file a common response thereto.

14. List the matters in this category on 18.11.2026.

Category 2: Challenge to the de-notification of Jantar Mantar as a protest site

(a) W.P.(C) No. 1357/2026 (Item No. 45).

15. List on 20.11.2026.

Category 3: Petitions concerning detention/removal

(a) W.P.(Crl.) No. 434/2026 (Item No. 39); and

(b) W.P.(Crl.) No. 437/2026 (Item No. 40).

16. List the matters in this category on 25.11.2026.

Category 4: Petitions challenging restrictions on protests

(a) W.P.(Crl.) No. 417/2026 (Item No. 37); and

(b) W.P.(C) No. 1354/2026 (Item No. 51).

Sub-category 4.1: Petitions challenging the order(s) issued under Section 163 of the BNSS

(a) W.P.(Crl.) No. 429/2026 is taken on Board; and

(b) W.P.(Crl.) No. 427/2026 is taken on Board.

17. W.P.(Crl.) Nos. 427/2026 and 429/2026 were adjourned to 19.11.2026 *vide* our order dated 15.10.2026. They shall be taken up along with the other matters in this category. List the matters in this category (i.e. 4 and 4.1) on 26.11.2026.

Category 5: Petitions concerning journalists

(a) W.P.(C) No. 1364/2026 (Item No. 42);

(b) W.P.(C) No. 1366/2026 (Item No. 46); and

(c) W.P.(C) No. 1373/2026 (Item No. 20).

18. In W.P.(C) No. 1373/2026, issue notice. Dasti, in addition, is permitted. Tag with W.P.(C) No. 1333/2026.

19. List the matters in this category on 26.11.2026.

Category 6: Petitions concerning women journalists and police personnel

Sub-category 6.1: Petition concerning women journalists

(a) W.P.(C) No. 1361/2026 (Item No. 52).

20. The Union of India shall file its counter affidavit during the course of the day. A copy thereof be supplied to Ms. Aarthi Rajan, learned AOR for the petitioner(s). Rejoinder affidavit, if any, be filed by 18.11.2026.

21. Post this matter on 23.11.2026.

Sub-category 6.2: Petition concerning police personnel

(a) W.P.(C) No. 1367/2026 (Item No. 36.7).

22. List on 30.11.2026.

Category 7: Petitions concerning lawyers

(a) W.P.(C) No. 1334/2026 (Item No. 36.6);

(b) W.P.(C) No. 1329/2026 (Item No. 36.2);

(c) W.P.(C) No. 1338/2026 (Item No. 50); and

(d) W.P.(C) No. 1348/2026 (Item No. 44).

23. List the matters in this category on 30.11.2026.

Category 8: Petitions seeking regulation of protests

(a) W.P.(C) No. 1336/2026 (Item No. 49);

(b) W.P.(C) No. 1365/2026 (Item No. 53);

(c) W.P.(C) No. 1359/2026 (Item No. 54);

(d) W.P.(C) No. 1360/2026 (Item No. 55);

(e) W.P.(C) No. 1363/2026 (Item No. 43); and

(f) W.P.(C) No. 1395/2026 (Item No. 23).

24. In W.P.(C) No. 1359/2026, learned Senior Counsel for the petitioner(s) seeks leave to amend the writ petition. Leave is granted. The amended writ petition be filed by 18.11.2026, with an advance copy to learned counsel for the respondent(s), who have already entered appearance.

25. In W.P.(C) No. 1360/2026, the Union of India and the other respondents shall file their counter affidavits on or before 18.11.2026. Post this matter on 23.11.2026.

26. In W.P.(C) No. 1395/2026, issue notice returnable on 18.11.2026. In case a separate counter affidavit is required to be filed, the same may be filed; otherwise, a copy of the counter

affidavit filed in the lead case, W.P.(C) No. 1333/2026, be supplied to learned counsel for the petitioners. Tag with W.P.(C) No. 1333/2026. The petitioners are directed to implead all the protesting organisations against whom allegations have been made in the writ petition.

27. List the other matters in this category on 26.11.2026.

Category 9: Habeas Corpus

(a) W.P.(Crl.) No. 436/2026 (Item No. 38).

28. I.A. No. 326856/2026 for intervention/impleadment is dismissed as withdrawn, with liberty to the applicant(s) to raise the same or additional grounds by way of an appropriate application in W.P.(C) No. 1395/2026.

29. List on 18.11.2026.

Category 10: Challenge to the vires of Section 172 of the BNSS

(a) W.P.(C) No. 1335/2026 is taken on Board.

30. Notice in this matter was issued vide our order dated 15.10.2026, returnable on 19.11.2026, on the limited issue pertaining to the constitutionality of Section 172 of the BNSS. List on 04.12.2026.

Category 11: Petition concerning surveillance

(a) W.P.(C) No. 1406/2026 (Item No. 21).

31. Issue notice. Dasti, in addition, is permitted. Tag with W.P.(C) No. 1333/2026.

32. List on 07.12.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR