

ITEM NO.22 Court 2 (Video Conferencing) SECTION II

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

Petition(s) for Special Leave to Appeal (CrI.) No(s). 6654/2021

(Arising out of impugned final judgment and order dated 06-08-2019 in DBCRA No. 613/2014 passed by the High Court Of Judicature For Rajasthan At Jaipur)

KAILASH THAKAN Petitioner(s)

VERSUS

STATE OF RAJASTHAN Respondent(s)

(FOR ADMISSIONMR. KARAN BHARIHOKE (NON-AOR) HAS BEEN APPOINTED AS AMICUS CURIAE )

Date : 08-10-2021 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr.Karan Bharihoke, AOR (AC)  
Ms.Neha Sahai Bharihoke, Advocate  
Mr.Siddhant Sharma, Advocate

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Mr.Karan Bharihoke, learned Amicus Curiae submits that the instant matter was assigned to him by communication dated 17.08.2021 which requested him to file the special leave petition as early as possible and preferably within two weeks.

Mr. Bharihoke submits that at the stage of filing of the petition, the record in the matter including the depositions of the relevant witnesses was not given to him. He further

submits that when he requested for the record, some documents were given to him but not the complete record.

At his request the matter is adjourned to 22.11.2021 to enable the learned Amicus Curiae to place on record copies of the translation of relevant depositions.

We have generally observed similar situations of incomplete record being furnished to the learned counsel from the panel of Amicus Curiae or those engaged by the Supreme Court Legal Services Committee, which impels us to issue following directions to ensure good and qualitative assistance in legal aid matters:

(1) As and when any legal assistance either through the panel of Amicus Curiae maintained by the Registry of this Court or through the Supreme Court Legal Services Committee is sought for, complete record of the case in digital form must be sent by the State Legal Services Authority or the High Court Legal Services Committee.

(2) Further, the concerned State Legal Services Authority or the High Court Legal Services Committee must also share other relevant material and documents such as Custody Certificate disclosing the length of custody undergone by the accused.

(3) The State Legal Services Authority or the High Court Legal Services Committee must thus ensure that the entire

material including the record and documents as stated above are shared with the Supreme Court Legal Services Committee or the Amicus Curiae Cell in the Registry of this Court so that adequate representation on behalf of the concerned accused is facilitated.

(4) Whenever any matters are received from the State Legal Services Authority or the High Court Legal Services Committee, the Amicus Curiae Cell in the Registry of this Court or the Supreme Court Legal Services Committee must ensure that the digital version of the record is received is shared with the concerned counsel.

Copies of this Order shall be sent to all the State Legal Services Authorities, the High Court Legal Services Committees as well as the Supreme Court Legal Services Committee and the National Legal Services Authority.

(INDU MARWAH)  
COURT MASTER (SH)

(VIRENDER SINGH)  
BRANCH OFFICER