

ITEM NO.3 Court 4 (Video Conferencing) SECTION XI-A

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

Miscellaneous Application No. 1091-1092/2021 in C.A. No. 6637-6638/2018

(Arising out of impugned final judgment and order dated 14-09-2018 in C.A. No. No. 6637/2018 14-09-2018 in C.A. No. No. 6638/2018 passed by the Supreme Court Of India)

S. NAMBI NARAYANAN Petitioner(s)

VERSUS

SIBY MATHEWS & ORS. ETC. Respondent(s)

((OFFICE REPORT FOR DIRECTIONS))

(By Courts Motion)

Date : 26-07-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. K. B. Sounder Rajan, AOR

For Respondent(s)

Mr. Amit Sharma, Adv.
Mr. Venkita Subramoniam T.r, AOR
Mr. Rahat Bansal, Adv.
Mr. Likhhi Chand Bonsle, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. G. Prakash, AOR
Mr. Jishnu M.L., Adv.
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

Mr. Renjith. B, AOR
Ms. Lakshmi N. Kaimal, AOR
Mr. Biju Vigneswar, Adv.
Ms. Surabhi Santosh, Adv.
Mr. Arun Poomulli, Adv.
Ms. Meera M., Adv.
Mr. Anil Sharma, Adv.

Mr. Tushar Mehta, SG
Mr. S.V. Raju, ASG

Mr. Vikramjit Banerjee, ASG
Ms. Sairica Raju, Adv.
Mr. Mohd. Akhil, Adv.
Mr. Rajt Nair, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. B.V. Balram Das, AOR

Mr. Kaleeswaram Raj, Adv.
Mr. Mohammed Sadique T.A., AOR
Ms. Thulasi K. Raj, Adv.
Ms. Maitreyi S. Hegde, Adv.

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

Heard learned counsel for the parties.

We have perused the reports submitted by the Office of Joint Director, HOZ, Central Bureau of Investigation and status report submitted by Mr. Arvind Kumar Sharma, Advocate (Central Agency Office).

It is mentioned in the report that after examining all relevant aspects, the FIR has been registered. The CBI has not uploaded the FIR, as of now, and is inviting order of the Court in that regard. That be done in the course of the day.

We hasten to add that in the earlier order, this Court had directed the CBI to ensure that the report submitted by Justice D.K. Jain Committee should not be made public. Now, that the CBI has finally decided to proceed in the matter, further steps after registration

of FIR must follow as per law and no directions are required from this Court in that regard.

Needless to observe that the respondents herein or the persons named as accused in the FIR, can take recourse to all permissible remedies available to them in law, which will have to be decided on its own merits and in accordance with law.

Further, after registration of FIR, the Investigating Agency must collate material on its own and not proceed merely on the basis of the report submitted by Justice D.K. Jain Committee. In other words, that report need not be made the sole basis to proceed against the respondents or persons named as accused in the FIR now registered by the CBI.

All contentions available to both sides in the proceedings, which are consequence of registration of FIR, must proceed as per law.

As the Committee report has been finally acted upon, we accede to the request of Mr. S.V. Raju, learned Additional Solicitor General that the Committee constituted under the orders of this Court, may cease to function hereafter.

We appreciate the efforts put in by the members of

the Committee, including the Chairman of the Court appointed Committee - Shri Justice D.K. Jain.

All reports received by the Registry should be kept in sealed cover under the custody of the Registrar (Judl.) of this Court.

The Misc. application is disposed of accordingly.

As the main appeal is disposed of, papers be consigned to record.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)