IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO(S).417 OF 2015

DIGVIJAYA SINGH **PETITIONER(S)**

VERSUS

STATE OF M.P. & OTHERS **RESPONDENT(S)**

WITH

SPECIAL LEAVE PETITION (CRL) NO. OF 2016
(Arising out of SLP(Crl.)...CRLMP No. 11978/2015)

SPECIAL LEAVE PETITION (CRL.) NO. OF 2016
(Arising out of SLP(Crl.)...CRLMP No. 11977/2015)

WRIT PETITION (CRL.) NO(S) 124/2015

WRIT PETITION (CRL.) NO(S)151/2015

O R D E R

Writ Petition (CIVIL) No(S).417 Of 2015

1. We have heard the learned counsels for the parties. Having considered the entire gamut of issues and the submissions advanced, we are of the view that the Writ Petition (C) No.417 of 2015 under Article 32 of the Constitution and other connected cases ought to be disposed of at this stage.

2. The prayers made in the Writ Petition

Signature Not Verified
Digitally signed by NEETU KHAJURIA
Date: 2016.12.16 17:56:24 IST
Reason:

(C) No.417 of 2015 are as follows :

(a) Issue an appropriate writ, order, direction, in the form of Mandamus or any other appropriate writ directing Respondent No.2 to produce the record and produce report dated 22.4.2015 before this Court;

(b) Issue an appropriate writ, order, direction in the form of Certiorari or any other appropriate writ for quashing order dated 24.04.2015 passed by the High Court of M.P. at Jabalpur in W.P. 6385/2014;

(c) Issue or pass any writ, direction or order in the nature of Mandamus for sending the incriminating material and truth laboratory report provided by the Petitioner for examination, analysis and authentication by a Central forensic laboratory;

(d) Issue or pass any writ, direction or order in the nature of mandamus for transferring investigation of Crime no.539/2013 lodged at Police Station

Rajendra Nagar, District Indore and other VYAPAM scam cases for fair and impartial investigation to CBI or any other central agency:

(e) issue or pass any writ, direction or order that this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

3. Insofar as the prayer (d) is concerned, all cases relating to the VYAPAM Scam have been handed over for investigation to the C.B.I. and are presently pending at different stages, including, trial of the said cases before the competent Courts.

4. Insofar as prayer (c) is concerned, the order of this Court dated 29.08.2016 would indicate that the C.B.I. had sent the disputed Excel file (Hard Disk and Pen Drive) for analysis to the C.F.S.L., Hyderabad. The report thereof has been received and is in the custody of the C.B.I. The same has been offered for perusal by the Court.

5. We are not inclined to examine the said report and comment on the veracity

thereof. All that we would concerned is that the submission of the said report by the C.F.S.L. takes care of prayer (c) and also the prayers made at (a). The said report of the C.F.S.L. be submitted to the competent C.B.I. Court for being dealt with in accordance with law.

6. Insofar as prayer (b) is concerned, we are not inclined to consider the same in view of what has been stated above in respect of other prayers made in the Writ Petition.

7. We also make it clear that the C.B.I. Court would free to take its decision on the said report in accordance with law and we have not expressed any opinion on the correctness or acceptability or otherwise of the said report.

8. Coming to the specific cases dealt with by the C.B.I., we are told that the status report filed before us indicates that out of a total 170 cases taken over and investigated by the C.B.I., including 15 PE cases, investigation is over in 117 cases and chargesheet has been filed in 48 cases

involving 137 accused.

9. Closure report has been filed in 4 regular cases out which 3 have been accepted.

10. Similarly closure report has been filed in 14 PE cases and all of which have been accepted.

11. We are also told that out of aforesaid cases, 73 are at the pre-charge stage and 50 are at the evidence stage. This Court is also informed that 20 C.B.I. Courts are presently dealing with VYAPAM cases.

12. In the aforesaid situation, we do not consider it necessary to further monitor the investigation of the cases by the C.B.I. except to direct that all pending investigations [stated to be 37 + 1 (death) cases] be completed as expeditiously as possible, preferably within four months from today.

13. We also direct that the learned trial Courts, before whom the cases are pending at different stages, to expedite the trial and complete the same as expeditiously as possible.

14. In the event, there is any specific grievance with regard to any issue either in the matter of investigation of the pending cases or the trial of the cases before the concerned Courts, it will be open for the aggrieved parties to seek their remedies in accordance with law.

15. We also make it clear that the trial Courts would be free to conduct the trial of the cases uninfluenced by any observations made/views expressed by the High Court of Madhya Pradesh in the orders passed by it from time to time.

16. The Writ Petition (C) No.417 of 2015 and all connected miscellaneous applications stand disposed of in the above terms.

SLP(Crl.)...CRLMP Nos. 11978/2015 and 11977/2015, W.P.(Crl.) Nos.124/2015 and 151/2015

1. Permission to file special leave petitions is granted.

2. Applications for exemption from filing official translation and from filing certified copy of the judgment are allowed.

3. Permission to file additional documents is granted.

4. In view the order passed in Writ Petition (C) No.417 of 2015, the above mentioned writ petitions, special leave petitions and other connected applications are disposed of.

.....,J.
(RANJAN GOGOI)

.....,J.
(N.V. RAMANA)

NEW DELHI
DECEMBER 15, 2016

ITEM NO.11 COURT NO.5 SECTIONS X/PIL(W)/IIA

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).417/2015

DIGVIJAYA SINGH **Petitioner(s)**

VERSUS

STATE OF M.P. & OTHERS **Respondent(s)**

(With appln(s) for stay, permission to file lengthy list of dates, permission to place addl. documents on record, clarification of Court's Order, exemption from filing O.T., directions, impleadment, directions and office report)

WITH
SLP(Crl.)...CRLMP No. 11978/2015
(With appln.(s) for permission to file SLP, Interim Relief and Office Report)

SLP(Crl.)...CRLMP No. 11977/2015
(With appln.(s) for permission to file SLP, Interim Relief and Office Report)

W.P.(Crl.) No. 124/2015
(With Interim Relief and Office Report)

W.P.(Crl.) No. 151/2015
(With Office Report)

Date: 15/12/2016 These petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE N.V. RAMANA

For the parties :
Mr. K.T.S. Tulsi, Sr. Adv.
Mr. Vivek Tankha, Sr. Adv.
Ms. Indira Jaising, Sr. Adv.
Mr. Varun K. Chopra, Adv.
Mr. Prabhat, Adv.

Ms. Rakhi Ray,Adv.

Mr. Santosh Kumar Tripathi,Adv.

Ms. Arti Singh,Adv.

Mr. Mukul Rohatgi, Attorney General
Mr. Purushaindra Kaurav, AAG
Mr. Mishra Saurabh,Adv.
Mr. Ankit Kr. Lal, Adv.
Ms. Anuradha Mishra, Adv.

Mr. Ranjit Kumar, Solicitor General
Mr. Maninder Singh, ASG
Mr. T.A. Khan, Adv.
Mr. Gaurav Sharma,Adv.
Mr. R. Balasubramanian, Adv.
Mr. Santosh Kumar, Adv.
Mr. Prabhas Bazaz, Adv.
Mr. Akshay Amritanshu, Adv.
Ms. Amandeep Kaur, Adv.
Mr. Prateek Bhatia, Adv.
Mr. Dhawal Mohan, Adv.
Mr. Mukesh Kumar Maroria,Adv.
Mr. B.K. Prasad, Adv.

Mr. Sarvam Ritam Khare, Adv.
Ms. Urvi Kuthiala, Adv.
Mr. Rahul Tomar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Permission to file special leave petitions is granted.

Applications for exemption from filing official translation and from filing certified copy of the judgment are allowed.

Permission to file additional documents is granted.

Writ Petitions, special leave petitions and all other connected applications are disposed of in terms of the signed order.

(Neetu Khajuria)
Court Master

(Asha Soni)
Court Master

(Signed order is placed on the file.)