

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. _____ OF 2024

(Arising out of SLP (Crl.) Nos.9379-9380/2024

CENTRAL BUREAU OF INVESTIGATION

APPELLANT(S)

VERSUS

STATE OF MANIPUR & ORS.

RESPONDENT(S)

O R D E R

Leave granted.

The Central Bureau of Investigation ("CBI", for short) has filed these appeals seeking to be relieved of the direction imposed upon it to apprehend the absconding-accused and to produce him before the High Court, by handing over the case to the Director, Central Bureau of Investigation (CBI), New Delhi for the purpose of tracking the accused. By the impugned orders dated 04.10.2023 passed in PIL No.9 of 2015, the High Court of Manipur issued the aforesaid direction with the time-frame of three months from the date of receipt of the said order.

In response to the aforesaid direction, the appellant (CBI) appeared before the Division Bench of the High Court of Manipur on 10.01.2024 and submitted that they were not impleaded as a party in the proceedings and therefore, virtually submitted to the Court that the direction dated 04.10.2023 would be difficult for them to comply with. However, the said submission was not accepted by the

High Court and further eight weeks time was granted to the CBI to trace the absconding-convict and produce him before the Court. Thus, the orders dated 04.10.2023 and 10.01.2024 are assailed in these appeals.

We have heard learned counsel for the appellant (CBI) and learned standing counsel for the State of Manipur and perused the material on record.

It is noted that the aforesaid directions have been issued by the High Court in PIL No.9 of 2015 which is a suo moto cognizance taken by the High Court on the basis of a newspaper report dated 11.03.2015 published in People's Chronicle regarding the exploitation of girl students of the North-East Children Home located at Bethlehem Veng, Churachandpur by the Administrator. It is further noted that the said PIL is still pending adjudication before the High Court.

Learned standing counsel appearing for the respondent-State submitted that the State has constituted a High Power Committee (Special Team) in order to trace the absconding-convict as his conviction and sentence has also been sustained by this Court and therefore, all efforts are being made to trace the said convict.

In response to the aforesaid submission, learned counsel for the appellant submit that the CBI may be relieved of its obligation to trace the absconding-convict as there would be a duplication of efforts and endeavours in that regard and further, if the respondent-State intends to seek the assistance of the Central Government, a request could be made for the necessary

assistance to the Special Team for the purpose of tracing the absconding-convict. Therefore, the impugned direction as against the appellant-CBI may be set aside.

We find that the prayer made by the appellant-CBI is genuine particularly, when the State Government has constituted a special Team in order to trace the absconding-convict and therefore, we find that the direction issued to the appellant-CBI was unnecessary in the instant case.

In the circumstances, the said directions issued on 04.10.2023 and the subsequent direction issued on 10.01.2024 are set aside. However, it is necessary to observe that the State Government which has constituted the Special Team shall make all endeavours to trace the absconding-convict and in that regard, if a request is made by the State Government to the Central Government (Ministry of Home Affairs), the Central Government shall render all necessary assistance to the State Government for the purpose of complying with the directions of the High Court.

The appeals are allowed and disposed of in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

.....J.
(B.V. NAGARATHNA)

.....J.
(NONGMEIKAPAM KOTISWAR SINGH)

NEW DELHI;
DECEMBER 05, 2024

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 9379-9380/2024

[Arising out of impugned judgments and orders 04-10-2023 in PIL No. 9/2015 and 10-01-2024 in PIL No. 9/2015 passed by the High Court of Manipur at Imphal]

CENTRAL BUREAU OF INVESTIGATION

Petitioner(s)

VERSUS

STATE OF MANIPUR & ORS.

Respondent(s)

(IA No. 136890/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-12-2024 These matters were called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. Suryaprakash V Raju, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Samrat Goswami, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Vivek Gurnani, Adv.
Mr. Zoheb Hussain, Adv.

For Respondent(s) Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Ahanthem Henry, Adv.
Mr. Ahanthem Rohen Singh, Adv.
Mr. Mohan Singh, Adv.
Mr. Aniket Rajput, Adv.
Ms. Khoisnam Nirmala Devi, Adv.
Mr. Kumar Mihir, AOR

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

Leave granted.

The appeals are allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(GEETA JOSHI)
SENIOR PERSONAL ASSISTANT

(DIVYA BABBAR)
COURT MASTER (NSH)

(Signed order is placed on the file)