

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 (Cr1.) No(s). 10036/2022

[Arising out of impugned final judgment and order dated 13-06-2022 in CRWP No. 5744/2022 passed by the High Court of Punjab & Haryana at Chandigarh]

NATIONAL COMMISSION FOR PROTECTION OF CHILD
RIGHTS (NCPCR)

Petitioner(s)

VERSUS

GULAAM DEEN & ORS.

Respondent(s)

MR. RAJSHEKHAR RAO, LEARNED SENIOR COUNSEL AS AMICUS CURIAE

WITH

Diary No(s). 35376/2022 (II-B)

IA No. 177436/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 177452/2022 - INTERVENTION/IMPLEADMENT

IA No. 177435/2022 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

SLP(Cr1) No. 2206/2023 (II-B)

IA No. 26181/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

SLP(Cr1) No. 1934/2023 (II-D)

IA No. 26375/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

SLP(Cr1) No. 2207/2023 (II-B)

IA No. 26257/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

W.P.(C) No. 814/2023 (PIL-W)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
169041/2023

FOR EXEMPTION FROM FILING O.T. ON IA 169043/2023

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
183982/2024

FOR EXEMPTION FROM FILING O.T. ON IA 183984/2024

IA No. 183984/2024 - EXEMPTION FROM FILING O.T.

IA No. 169043/2023 - EXEMPTION FROM FILING O.T.

IA No. 183982/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 169041/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 19-08-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE R. MAHADEVAN

Mr. Rajshekhar Rao, Sr. Adv.(Amicus Curiae)
Ms. Zehra Khan, Adv.
Ms. Mansi Sood, Adv.
Mr. Areeb Amanullah, Adv.
Ms. Delphina Shinglai, Adv.

For Petitioner(s) :Mr. H. S. Phoolka, Sr. Adv.
Mr. Jagjit Singh Chhabra, AOR
Mr. Bhuwan Ribhu, Adv.
Ms. Rachna Tyagi, Adv.
Mr. Saksham Maheshwari, Adv.
Ms. Shashi, Adv.
Ms. Surabhi Katyal, Adv.
Ms. Taruna Panwar, Adv.
Ms. Sonali Jain, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Kanu Agrawal, Adv.
Mr. K.Parameshwaran, Adv.
Mr. Adit Khorana, Adv.
Mr. Udai Khanna, Adv.
Mr. Jagdish Chandra, Adv.
Dr. N. Visakamurthy, AOR

Mr. Yashraj Singh Bundela, AOR

For Respondent(s) :Mr. Arjun Harkauli, AOR
Mr. Ramchandra Madan, Adv.
Mr. Abeer Shandilya, Adv.
Mr. Prateek Garg, Adv.
Mr. Prateek Grag, Adv.

Ms. Pallavi Vashist, Adv.
Mr. Manoj Kumar, Adv.
Mr. C Raghavendren, Adv.
Mr. Devansh Tyagi, Adv.
Mrs. C Rubavathi, Adv.
Mr. M. A. Chinnasamy, AOR
Mr. Kamal Pundir, Adv.
Mr. Chander Bhan, Adv.
Mr. Padhmanabha Raja Kr, Adv.

Mr. Abhaid Parikh , AOR
Mr. Rishbh Dubey, Adv.
Ms. Shivani Gupta, Adv.

Mr. Neeraj, A.A.G.
Mr. Samar Vijay Singh, AOR
Mr. Piyush Beriwal, Adv.
Mr. Rudra Paliwal, Adv.
Mr. Vedansh Anand, Adv.
Ms. Damini Garg, Adv.
Ms. Ojasvi, Adv.
Mr. Akash Gupta, Adv.
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Gaj Singh, Adv.

Ms. Nupur Kumar, AOR

Mr. Tushar Mehta, Solicitor General
Mrs. Aishwarya Bhati, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Udai Khanna, Adv.
Mr. K Parmeshwar, Adv.
Mr. G Sivabalamurgan, Adv.
Mr. Jagdish Chandra Solanki, Adv.
Mr. Selvaraj Mahendran, Adv.

Mr. K B Upadhyay, Adv.
Mr. S N Tripathi, Adv.
Mr. Raja Ram Tripathi, Adv.
Ms. Maria, Adv.
Mr. Ashish Kumar Upadhyay, AOR

Mr. Gaurav Agrawal, Sr. Adv.
Mr. C. George Thomas, AOR
Mr. Gurkaranbir Singh, Adv.

Ms. Fauzia Shakil, AOR
Ms. Tasmiya Taleha, Adv.

Mr. Rajat Bhardwaj, AAG
Ms. Baani Khanna, AOR
Ms. Ankita M. Bhardwaj, Adv.
Mr. Robin Singh, Adv.
Mr. Rohit Kumar, Adv.
Mr. Kapil Balwani, Adv.

UPON hearing the counsel the Court made the following

O R D E R

SLP (Crl.) Nos. 10036/2022 and 2206/2023

The petitioners herein are National Commission for
Protection of Child Rights (NCPCR) and National Commission for

Women (NCW) respectively.

The writ petition before the High Court, being CRWP No.5744/2022, was filed by Gulaam Deen and another under Articles 226/227 of the Constitution of India seeking a writ of Mandamus directing respondent nos.2 to 4 therein to protect their life and liberty owing to their apprehensions regarding their life and liberty at the instance of private respondent nos.5 and 7 therein. The High Court has granted the prayer(s) of the petitioner(s) therein.

We fail to see as to how the petitioners herein can be aggrieved by such an order. If the High Court in exercise of its jurisdiction under Article 226 of the Constitution of India seeks to extend protection to two individuals, it is strange that the petitioners are challenging such an order. The petitioners herein in fact have no *locus standi* to challenge the same.

It is strange that if the High Court has extended relief to minor children, the NCPCR, which is meant for protection of children assails such an order of the High Court. Hence, the special leave petitions are dismissed.

Pending application(s) shall stand disposed of.

Diary No. 35376/2022 and SLP(Crl) No. 2207/2023

Permission to file Special Leave Petition(s) is granted.

The petitioners herein are National Commission for Protection of Child Rights (NCPCR) and National Commission for Women (NCW) respectively.

The writ petition before the High Court, being CRWP

No.7426/2022, was filed by Javed under Articles 226/227 of the Constitution of India seeking a writ in the nature of Habeas Corpus directing respondent nos.2 and 3 therein to release the detainee, who was stated to be in the custody of Ashiana, Sector 16, Panchkula. The High Court in exercise of its jurisdiction under Articles 226/227 of the Constitution of India directed that the custody of detainee be handed over to the petitioner therein. The said order has been assailed by the petitioners herein. We find that the petitioners have no *locus standi* to challenge the same.

Hence, the special leave petitions are dismissed.

Pending application(s) including the application for intervention/impleadment shall stand disposed of.

SLP(Crl) No. 1934/2023

The petitioner herein is National Commission for Women (NCW).

The writ petition before the High Court being W.P. (Crl.) No.763/2022 was filed by Fija and another seeking a writ of Mandamus or any other writ directing respondent nos.1 to 3 therein to grant protection to the petitioners therein and further directing them to ensure that nobody separates the petitioners therein from each other.

We fail to see as to how the petitioner herein can be aggrieved by such an order. If the High Court in exercise of its jurisdiction under Article 226 of the Constitution of India seeks to grant the prayer(s) sought for by the

petitioner(s) therein, it is strange that the petitioner is challenging such an order. The petitioner herein has no *locus standi* to challenge the same.

Learned counsel for respondent nos.1 and 2 submitted that the said respondents are happily married and also have a girl child of two years. The said fact is also placed on record.

Hence, the special leave petition is dismissed.

Pending application(s) shall stand disposed of.

We place on record our sincere appreciation to the assistance rendered by Shri Rajshekhar Rao, learned senior counsel (*Amicus Curiae*) to this Court in these matters.

W.P.(C) No. 814/2023

Learned senior counsel for the petitioner submitted that he would place on record the judgments/orders passed by this Court in the context of the prayers sought for by the petitioner herein and on that basis possibly the writ petition could be disposed of.

Hence, list on 26.08.2025.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)