

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 27093/2025

[Arising out of impugned judgment and order dated 14-05-2025 in WP No. 17913/2025 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

KUNWAR VIJAY SHAH

Petitioner(s)

VERSUS

THE HIGH COURT OF MADHYA PRADESH & ORS.

Respondent(s)

WITH

ITEM NO. 51

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 27892/2025

(IA No. 129425/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 129426/2025 - EXEMPTION FROM FILING O.T. AND IA No. 129424/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 19-05-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Mr. Maninder Singh, Sr. Adv.
Ms. Vibha Datta Makhija, Sr. Adv.
Mr. Vikram Aditya Singh, Adv.
Mr. Ranga Sarana Mohan, Adv.
Ms. Yashika Gupta, Adv.
Mr. Mayank Gautam, Adv.
Ms. Nehaol Sri Lv, Adv.
Mr. Praveen Gaur, Adv.
Ms. Ifrah Siddiqui, Adv.
Mr. Shantanu Krishna, AOR
Mr. Amar Pal Singh Dua, Adv.

For Respondent(s) : Mr. Anoop George Choudhary, Sr. Adv.
Ms. June G. Choudhary, Sr. Adv.
Mr. Varun Thakur, Adv.
Mr. Deepak Goel, Adv.
Mrs. Tanuj Bagga Sharma, Adv.
Mr. Ramkaran, Adv.
Mr. Shashank Ratnoo, Adv.
Ms. Shraddha Saran, Adv.
Dr. M.k Ravi, Adv.
Mr. Kuber Boddh, Adv.
Ms. Pallavi Malhotra, Adv.

Ms. Troeeta Bhuniya, Adv.
M/S. Varun Thakur & Associates, AOR

Ms. Mrinal Gopal Elker, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. Permission to file Special Leave Petition is granted.
2. Issue notice to the State of Madhya Pradesh only.
3. Ms. Mrinal Gopal Elker, learned AOR accepts notice on behalf of the State of Madhya Pradesh. Hence, notice need not be issued.
4. Having gone through the contents of the statement attributed to the petitioner and also the contents of the apology, purported to have been tendered by him, we are satisfied that the subject FIR requires to be investigated by a Special Investigation Team (SIT). Such SIT shall comprise of three senior directly recruited IPS officers of the Madhya Pradesh cadre but who otherwise do not belong to the State of Madhya Pradesh. We are further of the opinion that out of the three officers, one should be a woman IPS officer. The Director General of Police, Madhya Pradesh is directed to constitute the SIT by 10 a.m. tomorrow i.e., 20.05.2025. The SIT shall be headed by an officer not below the rank of Inspector General of Police and the remaining two members shall also be in the rank of Superintendent of Police or above. The investigation of the subject FIR shall be entrusted to the SIT forthwith.
5. The petitioner is directed to join and fully cooperate with the investigation. Subject thereto, as of now, any coercive action in the subject FIR, including arrest, shall remain stayed.

6. Following the settled law, however, we are not inclined to monitor the ongoing investigation. However, given the peculiar facts and circumstances of this case, we direct the SIT to submit status reports, the first of which may be filed by 28.05.2025.

7. List on 28.05.2025.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR