

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 (Crl.) No(s). 8449/2025

[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 & ANR.

Respondent(s)

(IA No. 137240/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 137244/2025 - EXEMPTION FROM FILING O.T., IA No. 233091/2025 - INTERVENTION/IMPLEADMENT and IA No. 233103/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

SLP(Crl) No. 7980/2025 (II-E)

(IA No. 129425/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 129426/2025 - EXEMPTION FROM FILING O.T.)

Date : 19-01-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Mr. Maninder Singh, Sr. Adv.
Mr. Shantanu Krishna, AOR
Mr. Vikramaditya Singh, Adv.
Mr. Vikramaditya Singh, Adv.
Ms. Yashika Gupta, Adv.
Ms. Vaishnavi Srivastava, Adv.
Mr. Naman, Adv.
Mr. Naman Sharma, Adv.
Mr. Rangasaran Mohan, Adv.
Mr. Milind Rai, Adv.
Mr. Shikher Deep Aggarwal, Adv.

For Respondent(s) : Mr. Tushar Mehta, Solicitor General
Mr. Prashant Singh, Advocate General
Mr. Sridhar Potaraju, A.A.G.
Mr. D. S. Parmar, A.A.G.
Ms. Mrinal Gopal Elker, AOR
Mr. Arkaj Kumar- G.a., Adv.

Applicant-in-person, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. No case for entertaining IA No. 233091 of 2025 (application for impleadment) and IA No.233103 of 2025 (application for permission to appear and argue as applicant in person) is made out. The applications are, accordingly, dismissed.
2. This Court vide order dated 19.05.2025 directed the State of Madhya Pradesh to constitute a Special Investigation Team (SIT). The Director General of Police constituted the SIT, full description whereof is mentioned in paragraph 4 of the report submitted to this Court in a sealed cover, which has been duly opened in Court.
3. The report reveals that the SIT has investigated various aspects of the subject incident. However, in paragraph 10.2, it is also clarified that some earlier instances which were referred to by one of the writ petitioners have been excluded during the ongoing investigation. The SIT has after investigation submitted a report to the State Government in terms of Section 217(1)(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023 for the purpose of obtaining previous sanction of the State Government, which is required for a Court of competent jurisdiction to take cognizance of the offences under Sections 196(1)(a) and 196(1)(b) of the Bharatiya Nyay Sanhita, 2023.
4. We are informed that the State Government has not yet taken any decision on the above stated investigation reports submitted by

the SIT, presumably because the matter remains under consideration before this Court.

5. In this view of the matter, we direct the State of Madhya Pradesh to take an appropriate decision re: grant of previous sanction, as required under the law. An appropriate decision shall be taken within two weeks.

6. Meanwhile, we also request the SIT to make an endeavour to find out the details of the other instances attributed to the petitioner, a brief reference to which has been made in paragraph 10.2 of the SIT report. A separate status report in relation to those instances shall also be submitted to this Court.

7. For the purpose of submission of compliance affidavit by the State of Madhya Pradesh in respect of the directions issued hereinabove, post the matter on 09.02.2026.

8. Post the matter further on 11.03.2026 to enable the SIT to submit a further status report with respect to the investigation that is required to be carried out for the instances referred to in paragraph 10.2 of the report under consideration dated 18.08.2025.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR