

ITEM NO.27

COURT NO.1

SECTION II-E

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).19960/2025

[Arising out of impugned final judgment and order dated 30-10-2025 in CRA No.10005/2025 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

GOVIND SINGH RAJPUT

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

IA No. 318762/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 318761/2025 - EXEMPTION FROM FILING O.T.

IA No. 318758/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 11-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) Mr. Maninder Singh, Sr.Adv.
Mr. Vivek Ranjan Pandey, Adv.
Mr. Padmesh Mishra, Adv.
Ms Tanya Agarwal, AOR

For Respondent(s) Mr. Tanveer Ahmed Mir, Sr. Adv.
Mr. Yash Datt, Adv.
Mr. Chandra Shekhar Anand, Adv.
Mr. Ishan Sharma, Adv.
Ms. Priyamvada Singh Solanki, Adv.
Mr. Arjun Singh Bhati, AOR

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

1. The unnatural death of one Nilesh Adivasi on 25.07.2025 has led to registration of FIR No.329/2025, under Sections 108 and 3(5) of the BNS read with Section 3(2)(v) of the SC/ST Act on 04.09.2025 at Police Station Malthone.

2. It seems that the allegations made by the wife of the

deceased are to the effect that Nilesh Adivasi committed suicide on account of the torture and harassment meted out to him by a former Home Minister of the State and his associates. There is a long narration of events made by Reva Adivasi (wife of the deceased), which is not necessary to be referred to in light of the nature of the order we propose to pass in the instant matter. It suffices to mention that some property documents were allegedly executed through deception, and then a complaint has been filed by and against the deceased. The wife of the deceased filed her first complaint on 27.07.2025 seeking registration of an FIR against the former Home Minister of the State and his associates, but no cognizance thereof was taken. She then filed a second complaint on 03.08.2025 and also approached the High Court through Writ Petition No.31491/2025 seeking registration of FIR and investigation by the Central Bureau of Investigation (CBI) to unearth the factors leading to the unnatural death of her husband. Eventually, this led to registration of the subject FIR, i.e., 329/2025.

3. The brother of the deceased Neeraj Adivasi, however, seems to have a different version. In his very first statement, which is claimed to have been recorded by the police, he has attributed allegations against the petitioner herein (Govind Singh Rajput) and some other persons being responsible for the unnatural death of his brother.

4. There are, thus, two different and contradictory versions that emanate from the close family members of the deceased with respect to the cause at background of his death.

5. The Writ Petition filed by the wife of the deceased is still pending before the High Court, though we have already requested the High Court to dispose of the same vide order dated 01.12.2025, passed in SLP(Crl.)D.No.64256/2025, which was filed by the wife of the deceased.

6. Be that as it may, the facts and circumstances of the case undoubtedly warrant a dispassionate, fair, independent and impartial investigation into the cause of death of Nilesh Adivasi. It seems to us that the local police would not be able to conduct

and take the investigation in FIR No.329/2025 to a logical conclusion. Any further delay, it goes without saying, will be detrimental to the interests of the victim's family as the pendency of the investigation might lead to destruction of evidence and/or influencing the witnesses, whose version is likely to have a material bearing on the outcome of the investigation.

7. Taking these factors in view, and knowing fully well that the hands of CBI - a skilled investigating agency - are already full and entrustment of this investigation to the agency might cause inordinate and undesirable delay, we, in exercise of powers under Article 142 of the Constitution, expand the scope of these proceedings and make the following directions:

(i) The Director General of Police, Madhya Pradesh, is directed to constitute a Special Investigation Team (SIT) comprising three Police Officers. The head of the SIT shall be a direct recruit IPS Officer of the M.P. cadre, but having no roots in the State of Madhya Pradesh and should be in the rank of Senior Superintendent of Police.

(ii) The second Member of the SIT shall also be a young IPS Officer, who should also not have any roots in the State of Madhya Pradesh.

(iii) The third Member of the SIT may preferably be a woman Police Officer not below the rank of Deputy Superintendent of Police.

(iv) The Director General of Police, Madhya Pradesh, shall constitute the SIT within two days.

(v) The SIT is directed to take over the complete record of FIR No.329/2025 and all other connected FIRs in their custody and immediately commence the investigation.

(vi) In the light of different versions which have emerged on the record of this case, or in a case that might have been registered or may get registered in the future in relation to the incident in question, we direct that, as an interim measure, the arrest of the petitioner

shall remain stayed, subject to his furnishing bail bonds to the satisfaction of the jurisdictional Chief Judicial Magistrate. If the SIT finds any incriminating material of grave nature hinting towards the involvement of the petitioner, it shall be at liberty to seek leave of this Court for his custodial interrogation.

(vii) The SIT will look into both the versions that have emerged from the family members of the deceased. However, the SIT will also consider other possibilities that might have led to the unfortunate death of the victim, especially when no suicide note has been recovered.

(viii) The SIT will immediately ensure that vulnerable witnesses, especially the widow of the deceased, are not influenced by anyone. The witness protection principles must be immediately enforced to ensure that Reva Adivasi or any other witness is not influenced by anyone.

(ix) Similarly, as an interim measure, it is directed that no coercive action shall be taken against the brother of the deceased (Neeraj Adivasi) and his family members, so as to enable them to join and cooperate with the investigation as entrusted above, free from all fear and influence.

8. We expect that the SIT shall conclude the investigation as early as possible and preferably within a period of one month.

9. The High Court is requested to take up Writ Petition No.31491/2025 and dispose of the same in the light of the directions issued hereinabove.

10. It goes without saying that the SIT will investigate all the related issues, including the genesis of the dispute or motive of the alleged crime.

11. The Special Leave Petition stands disposed of in the above terms.

12. As a result, the pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR