

COURT ON ITS OWN MOTION V/S STATE OF PUNJAB AND OTHERS

Present: Ms. Tanu Bedi, Advocate as *Amicus Curiae*.

Mr. Gurminder Singh, Advocate General, Punjab.

Mr. A.D.S. Sukhija, Addl. A.G., Punjab

Mr. Aftab Singh Khara, Sr. DAG, Punjab and

Mr. Adehsvar Singh Pannu, AAG, Punjab.

Mr. Anant Kataria, DAG, Haryana.

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh with

Mr. Rajiv Vij, Addl. P.P., U.T., Chandigarh.

Mr. Satya Pal Jain, Addl. Solicitor General of India with

Mr. Arun Gosain, Sr. Govt. Counsel for respondent-UOI.

Mr. Gourave Bhaiyya Gilhotra, Advocate,

Mr. Hitesh Verma, Advocate and

Mr. Vishawajeet Singh, Advocate

for the applicant (in CM-85-CWPIL-2023).

Mr. Jaskaranjeet Singh Sibia, Advocate

for inmate (Ravinder Singh).

Learned *Amicus Curiae* pointed out that there is an inadvertent typographical error in the fourth line of paragraph No.6 of the order passed by this Court on 16.12.2024 which reads as under:-

“He ought to have enquired as to whether the interview had been conducted while criminal was in police custody as the period of custody of the criminal in jails of Punjab was more than the time spent in the judicial custody.”

It is manifest that there is indeed an error in the sentence. The sentence would read as under:-

*“He ought to have enquired as to whether the interview had been conducted while criminal was in police custody as the period of custody of the criminal in **the premises of CIA staff, Kharar** was more than the time spent in judicial custody in the State of Punjab.”*

The Registry is directed to carry out this correction in the order dated 16.12.2024.

Learned Advocate General, Punjab has filed an affidavit of the Secretary, Department of Home Affairs which is taken on record. It is stated in the affidavit that although an Inquiry Officer was appointed, but they are willing to re-consider the matter. Learned Advocate General, Punjab has submitted a panel of retired judges to this Court in a sealed cover. After going through the material placed in sealed cover, the same is returned back.

The Government shall consider appointing Justice Rajiv Narain Raina, Former Judge of this Court as the Inquiry Officer. He shall be provided adequate security and infrastructure by the State Government. The competent authority may pass necessary order in this regard expeditiously. Needless to mention that the Inquiry Officer would be suitably remunerated.

Mr. Rakesh Kumar Nehra, Senior Advocate is also appointed as *Amicus Curiae* to assist the Court. A complete set of paper book be given to him.

List on 16.01.2025.

The SIT shall submit its status report on the next date of hearing.

A photocopy of this order be placed on the files of connected cases.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

18.12.2024
Prince