

ITEM NO.11

COURT NO.7

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION (CIVIL) No.10/2024

IN RE: DISCRIMINATION INSIDE PRISONS IN INDIA

Petitioner(s)

VERSUS

Respondent(s)

[ONLY IA NO. 291196/25 IS LISTED UNDER THIS ITEM].....[Dr. S. Muralidhar, (A.C.)]

IA No. 291196/2025 - APPROPRIATE ORDERS/DIRECTIONS

Date : 15-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : By Courts Motion

For Respondent(s) :

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Ms. Patil Rekha Chandra Gouda, AOR

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

1. This Interlocutory Application No.291196/2025 is at the instance of Criminal Justice and Police Accountability Project (SPA Project).

2. In the said I.A., the following reliefs have been prayed for:-

"a. Declare that Sections 2(15), 2(19), 6(3), 27(3), 28, 29(7) of the Madhya Pradesh Sudharatmak Sevayen Evam Bandigrah Adhiniyam, 2024 as unconstitutional in terms of this Hon'ble Court's judgement in Sukanya Shantha v. Union of India, 2024 SCC OnLine SC 2694, and any other provisions of that Act insofar as they contravene that judgment, and/or issue appropriate directions regarding the same;

b. Declare that Regulations 322, 419, 603, 606, 617(6), 633-D(21), 651(d), 670, 685 (xi) (a), 822, 856(f), 861 of the Madhya Pradesh Police Regulations, 1937 as unconstitutional in terms of this Hon'ble Court's judgement in Sukanya Shantha v. Union of India, 2024 SCC OnLine SC 2694, and any other provisions of those Regulations insofar as they contravene that judgment, and/or issue appropriate directions regarding the same;

c. Direct all other states to file appropriate affidavits concerning any similar provisions and to produce Police Regulations and/or Standing Orders and/or Rules and/or any other subordinate legislation concerning policing before this Hon'ble Court, and issue appropriate directions regarding the same;

d. Pass any such / further orders as may be required in the interests of justice."

3. In so far as the relief prayed for in Para 14(a) & (b) respectively is concerned, the State of Madhya Pradesh shall file its counter affidavit at the earliest.

4. In so far as the relief prayed for in terms of Para(c) is concerned, we may have to hear all the States and Union Territories but that may take a long time. In such circumstances, we want the Union of India to look into it and file its reply.

5. At this stage, Dr. S. Muralidhar, the learned A.C. submitted that he would undertake extensive deliberations with each of the States and the Union Territories and would file an exhaustive report before this Court. Dr. Muralidhar would submit that he would associate and seek the assistance of National Legal Services Authority (NALSA) etc. for the purpose of preparing the report.
6. Let this exercise be undertaken at the earliest.
7. Post it after six months.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)