

ITEM NO.28+29

COURT NO.1

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**

Writ Petition(s)(Criminal) No(s).280/2026

SHAILENDRA MANI TRIPATHI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

**IA No. 223792/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 258046/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 217875/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 226656/2026 - EXEMPTION FROM FILING O.T.
IA No. 244626/2026 - EXEMPTION FROM FILING O.T.
IA No. 237606/2026 - INTERVENTION APPLICATION
IA No. 217464/2026 - INTERVENTION APPLICATION
IA No. 221812/2026 - INTERVENTION APPLICATION
IA No. 244625/2026 - INTERVENTION APPLICATION
IA No. 228520/2026 - INTERVENTION/IMPLEADMENT
IA No. 220095/2026 - INTERVENTION/IMPLEADMENT
IA No. 218078/2026 - INTERVENTION/IMPLEADMENT
IA No. 217465/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON**

WITH

**W.P.(Crl.) No. 279/2026 (X)
IA No. 213827/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 215310/2026 - INTERVENTION APPLICATION
IA No. 216101/2026 - INTERVENTION/IMPLEADMENT**

W.P.(Crl.) No. 286/2026 (PIL-W)

**W.P.(Crl.) No. 282/2026 (PIL-W)
IA No. 215863/2026 - EX-PARTE AD-INTERIM RELIEF**

**W.P.(Crl.) No. 283/2026 (PIL-W)
IA No. 218921/2026 - INTERVENTION APPLICATION
IA No. 217895/2026 - INTERVENTION APPLICATION**

**W.P.(C) No. 917/2026 (PIL-W)
IA No. 242559/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 217509/2026 - APPROPRIATE ORDERS/DIRECTIONS**

W.P.(C) No. 958/2026 (PIL-W)

W.P.(C) No. 973/2026 (PIL-W)

W.P.(Crl.) No. 324/2026 (X)

IA No. 241569/2026 - EX-PARTE AD-INTERIM RELIEF

IA No. 241576/2026 - EXEMPTION FROM FILING O.T.

T.P.(Crl.) No. 836/2026 (XVI-A)

IA No. 240645/2026 - STAY APPLICATION

W.P.(C) No. 969/2026 (PIL-W)

W.P.(C) No. 1042/2026 (PIL-W)

W.P.(Crl.) No. 321/2026 (X)

Item No.21

Writ Petition(s)(Civil) No(s).1066/2026

Item No.29

Writ Petition(s)(Civil) No(s). 930/2026

IA No. 237832/2026 - INTERVENTION APPLICATION

WITH

W.P.(C) No. 959/2026 (PIL-W)

Date : 10-09-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

HON'BLE MRS. JUSTICE V. MOHANA

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In It.28

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Mr. Vijay Kumar Sharma, Adv

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

1. Pursuant to the detailed order passed by us on 18.08.2026, constituting a High-Powered Enquiry Committee (HPEC) and providing detailed directions on the issues to be considered by it, parties on either side have filed a number of affidavits and applications. Consequently, in the course of the proceedings, a multitude of contentions and suggestions were placed before us for our consideration.

2. At the very outset, we have been informed by the Union of India that they have complied with paragraph 24 of our order dated 18.08,2026, in so far as providing infrastructure and facilities to the HPEC is concerned.

3. That being so, I.A. No. 258046/2026 has been filed on behalf of some of the Petitioners, seeking reconstitution of the HPEC. Having perused the contents of the aforesaid application, we are constrained to observe, with some measure of disquiet, that aspersions have been cast upon the HPEC in a manner that is both premature and precipitate.

4. In the circumstances, we are not inclined to effect any alteration in the constitution of the Committee, particularly where the prayer for such reconstitution proceeds on nothing more than conjecture and preconceived notions, articulated even before the

HPEC has embarked upon its enquiry. It must be understood by one and all that the HPEC has been constituted to assist this Court with the highest standards of fairness and transparency and with a dispassionate approach. The HPEC is not created to espouse the causes of one or the other party before us.

5. Be that as it may, we have the parties on either side on a myriad of other issues and in that regard, deem it necessary to pass the following directions and clarifications in supplementation to the directions passed on 18.08.2026:

- i. At the risk of reiteration, we request that the HPEC may, in the first instance, proceed with its enquiry into the issues enumerated at items (i), (vi), and (vii) of paragraph 12, and item (iii) of paragraph 13 of our order dated 18.08.2026. This would include the issues pertaining to the use of pellet guns, the targeted violence and harassment of female protestors, as well as the issue of excessive violence and destruction of property occasioned on either side;
- ii. We further reiterate the caveat entered by us in paragraph 19 of our order dated 18.08.2026, regarding the broader constitutional questions arising herein, and reaffirm that the same shall be considered by this Court at the appropriate stage;

- iii. With respect to the concerns voiced over the treatment of witnesses, and of those who may wish to come forward before the HPEC to furnish their account and voice their grievances, we request the HPEC that such vulnerable witnesses be extended due protection and their identities be kept confidential and undisclosed, in furtherance of paragraph 20 of our order dated 18.08.2026;
- iv. It goes without saying that utmost confidentiality shall be maintained in respect of any statements given or evidence submitted by such vulnerable witnesses to the HPEC. In furtherance thereof, a separate online portal may be created to facilitate such witnesses and other requisite stakeholders to submit their documents and evidence;
- v. We clarify that the role of the nodal counsel appointed by us in paragraph 21 of the order dated 18.08.2026 shall be confined to rendering assistance to this Court in the course of the instant proceedings. A large part of their support shall be logistical in nature, extended to this Court and is not to be construed as constituting a line of communication between the HPEC, this Court, and the parties before us;
- vi. We have also been informed that the nodal counsel have not been furnished with the paperbooks and other material

VERDICTUM.IN

relevant to the instant proceedings. The Registry of this Court is accordingly directed to remedy the same at the earliest;

- vii. In this vein, we deem it appropriate to appoint Dr. Monika Gusain, Senior Advocate, along with Mr. C. Solomon, AOR, as learned *Amici Curiae*, who shall assist this Court as a representative of the HPEC, and shall further act as an independent arbiter between the parties;
- viii. Similarly, we also request the HPEC to appoint a Member Secretary at the earliest, so as to facilitate any such logistical or other secretarial assistance as the HPEC may require in the discharge of its functions. The same has already been expressed at paragraph 26 of our earlier order;
- ix. Keeping these directions and clarifications in mind, together with those already issued vide our order dated 18.08.2026, we request the HPEC to submit its first report to this Court at the earliest.

6. Specifically in WP (C) No. 324/2026, vehement submissions were canvassed as to the vulnerability of one particular young female protestor, who is stated to be a child of fourteen years of age. It was contended that several threats have been made to her life, as well as to that of her family, occasioning grave and continuing

apprehension as to the safety of both her and her family. It was further contended that no action has been taken by the Delhi Police against the miscreant(s) who have allegedly carried out such attacks upon her and her family, a lapse that has only compounded the risks attendant upon securing her safety.

7. In this light, we direct the Delhi Police to assess the threat perception and provide the necessary protection to the said child and her family so as to secure her safety, and to expeditiously conduct an investigation against such anti-social elements who are allegedly threatening or harassing her and her family. Let a status report be filed by the Delhi Police in this behalf before the next date of hearing.

8. Ordered accordingly.

9. List on 09.10.2026 for further consideration.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR