

ITEM NO.23

Court 6 (Video Conferencing)

SECTION II-C

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No. 45871/2019

(Arising out of impugned final judgment and order dated 26-03-2018 in 561A No.66/2010 passed by the High Court of Jammu & Kashmir at Srinagar)

CENTRAL BUREAU OF INVESTIGATION & ANR.

Petitioner(s)

VERSUS

MOHAMMAD ALTAF MOHAND & ANR.

Respondent(s)

(IA No.10338/2020-CONDONATION OF DELAY IN FILING and IA No.10342/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.10340/2020-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 03-09-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Sanjay Jain, ASG
Mr. S. K. Tyagi, Adv.
Mr. P. V. Yogeswaran, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s)

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

Applications seeking exemption from filing C/C of the impugned judgment and permission to file lengthy list of dates are allowed.

We would like to know from the Director, CBI as to what steps have been taken to strengthen their prosecution unit and what are the bottlenecks.

In this connection, it has been brought to our notice that the Division Bench of Madras High Court in W.P. (MD)

No.17716 of 2020 and W.M.P. (MD) No.14803 of 2020 titled *Ramanathapuram District Pathikkapattor Sangam v. The State of Tamil Nadu & Ors.* decided on 17.8.2021 after taking note of the directions issued by this Court in *Vineet Narain and others v. Union of India and another, (1998) 1 SCC 226*, has issued a series of directions to the petitioners seeking compliance. The aforesaid order has been passed in the light of the factual particulars provided by the petitioners. While we do not wish to say anything on the said order, we would like to know from the petitioners on the steps taken or proposed to be taken over the inadequacies in existence. Such inadequacies extend to the manpower, infrastructure facility and the quality of investigation.

There is common perception that the success rate over the cases taken on file is rather low. Thus, we call upon the petitioners to place the year wise data on the cases under prosecution, the time period over which they are pending before the trial courts and the percentage of conviction rendered by the courts at different level.

An affidavit be filed in this regard within six weeks as prayed for.

List after six weeks.

(RASHMI DHYANI)
COURT MASTER

(POONAM VAID)
COURT MASTER