

ITEM NO.10

COURT NO.2

SECTION II-A

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 (CrI.) No(s).9692-9693/2021

(Arising out of impugned final judgment and order dated 09-09-2021 in CRA No. 7215/2018 09-09-2021 in CRRFC No. 14/2018 passed by the High Court Of M.P. At Indore)

IRFAN @ BHAYU MEVATI

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.163432/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.163435/2021-EXEMPTION FROM FILING O.T.)

Date : 15-12-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s)

Mr. Mohd. Irshad Hanif, AOR
Mr. Aarif Ali Khan, Adv.
Mr. Rizwan Ahmad, Adv.
Mr. Mujahid Ahmad, Adv.
Mohd. Faseeh Khan, Adv.
Mr. Shishir Raj, Adv.

For Respondent(s)

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

Leave granted.

Liberty is granted to serve the learned Standing Counsel for the State as well.

Pending further consideration, the execution of sentence of death imposed upon the appellant is stayed. Let an intimation to

that effect be sent to the concerned prison immediately.

The Registry is directed to summon the Trial Court Record immediately. After receipt of the record, the Registry shall after digitizing the same, share soft copy of the record with the learned counsel appearing for the parties.

We have passed certain directions in *Manoj vs. State of Madhya Pradesh [Cr1. Appeal No.248-250 of 2015]* and in some other death sentence matters which directions were passed after conclusion of the arguments on the issue of conviction.

However, the assessment if made in advance, before the learned counsel advance their submissions, will be helpful in every respect. We therefore, direct:

1. the respondent - State to place before us the report of the Probation Officer relating to the petitioner (s) as early as possible and preferably by 01.03.2022.
2. We direct that the report of the Jail Administration about the nature of the work done by petitioner(s) while in jail be placed before us by 01.03.2022.
3. We also feel that the interest of justice dictates that we obtain a psychological evaluation of the petitioners. We direct the Director, Mental Care Hospital, District Indore, M.P. to constitute a suitable team for the Psychiatric evaluation of the accused appellant in this case.

The said report also be placed before us by

01.03.2022.

The Jail Authorities shall co-operate with the team of experts for facilitating access and due evaluation of the petitioners in all respects.

The Registry shall send due intimation to the Director, Mental Care Hospital, District Indore, M.P.

Let the report be placed before this Court as early as possible and preferably by 01.03.2022.

List for final disposal on 22.03.2022 before the appropriate Court after seeking requisite directions from the Hon'ble CJI.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER