

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRLMP NO.71492 OF 2017

IN

SLP (CRL.) NO.5777 OF 2017

SHAFIN JAHANS

.....PETITIONER

VERSUS

ASOKAN K.M. & ORS.

.....RESPONDENTS

O R D E R

1. When this matter came up for hearing on 04.08.2017, in our motion bench order, we required Mr.Maninder Singh, learned Additional Solicitor General to accept notice on behalf of respondent No.6, namely, the National Investigation Agency (NIA). The purpose of requiring notice to be served on the first date itself on respondent No.6 was for neutral and unbiased assistance.

2. In order to render assistance to this Court, the NIA - respondent No.6 has moved an I.A. praying, that it may be permitted to proceed to conduct investigation under Section 6 of the National Investigation Agency Act, 2008, and place the outcome of the aforestated determination before this Court.

3. Mr.Haris Beeran, learned counsel appearing for the petitioner vehemently opposes the prayer made in the I.A. It is contended, that the petitioner may be permitted to file a response to the I.A.. We have not the slightest hesitation in allowing the petitioner to file its response to the I.A. However, we may record, that the impression which is gathered in opposing the

instant application is, that the petitioner does not desire the correct and independent view of the controversy to emerge before this Court.

4. We may also record that the instant I.A. was mentioned in the morning, wherein, Mr.Maninder Singh clarified, that the same was being filed, well before the next date of hearing, to obviate any grievance of delaying proceedings.

5. In the meantime, we direct, that the police investigation conducted in the State of Kerala, be shared by the concerned Investigation Agency with the NIA, so as to enable the NIA to be alive to the situation, so as to assist this Court on the next date of hearing. In view of the above, the State Investigating Agency in Kerala, is directed to render all assistance and cooperation to the NIA in the matter, along with all materials collected in connection therewith.

6. Let a copy of this order be sent to the Director General of Police, Police Headquarter, Trivandrum, Kerala, by the Registry of this Court forthwith.

.....CJI.  
(JAGDISH SINGH KHEHAR)

.....J.  
(Dr.D.Y.CHANDRACHUD)

NEW DELHI;  
AUGUST 10, 2017.

ITEM NO.2

COURT NO.1

SECTION II-B

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

Crl.MP No.71492/2017 In Petition(s) for Special Leave to Appeal  
(Crl.) No(s).5777/2017

(Arising out of impugned final judgment and order dated 24-05-2017  
in WPCRL No. 297/2016 passed by the High Court Of Kerala At  
Ernakulam)

SHAFIN JAHAN

Petitioner(s)

VERSUS

ASOKAN K.M. &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.53766/2017-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA  
No.53788/2017-INTERVENTION/IMPLEADMENT and IA  
No.53764/2017-PERMISSION TO FILE SLP and IA  
No.53789/2017-APPROPRIATE ORDERS/DIRECTIONS and IA  
No.53767/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA  
No.71492/2017-APPROPRIATE ORDERS/DIRECTIONS)

Date : 10-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Haris Beeran, Adv.  
Mr.Mohd.Nizam Pasha, Adv.  
Mr.Usman Ghani Khan, Adv.  
Mr.Mushtaq, Adv.  
Ms.Pallavi Pratap, AOR

For Respondent(s) Mr.Maninder Singh, ASG  
Mr.R.Balasubramanian, Adv.  
Mr.Akshay Amritanshu, Adv.  
Ms.Aarti Sharma, Adv.  
Mr.B.V.Balram Das, Adv.  
Mr.Prabhas Bajaj, Adv.

Mr.C.K.Sasi, Adv.

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

We direct, that the police investigation conducted in the

State of Kerala, be shared by the concerned Investigation Agency with the NIA, so as to enable the NIA to be alive to the situation, so as to assist this Court on the next date of hearing. In view of the above, the State Investigating Agency in Kerala, is directed to render all assistance and cooperation to the NIA in the matter, along with all materials collected in connection therewith.

Let a copy of this order be sent to the Director General of Police, Police Headquarter, Trivandrum, Kerala, by the Registry of this Court forthwith.

(SATISH KUMAR YADAV)  
AR-CUM-PS

(RENUKA SADANA)  
ASST.REGISTRAR

(Signed order is placed on the file)