

(1998) 05 SC CK 0064

In the Supreme Court Of India

Case No : Criminal M.P. No. 4201 of 1997 in Writ Petition (Criminal) No"s. 539 of 1986 and 592 of 1987

Dilip Kumar Basu

APPELLANT

Vs

State of W.B. and Others

RESPONDENT

Date of Decision : 01-05-1998

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 176

Citation : (1998) 2 OLR 529 : (1998) 6 SCC 380

Hon'ble Judges : S. Rajendra Babu, J;A. S. Anand, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

Learned amicus curiae, Dr Singhvi, Senior Advocate, has filed a chart detailing "comparative compliance reports" from various States and Union Territories on the basis of the affidavits submitted by them. According to the chart, it is seen that the affidavits furnished by various States/Union Territories are still deficient and do not furnish full and complete information up-to-date. By way of an example, we have seen the affidavit filed on behalf of the State of Assam as also the NCT of Delhi. Learned counsel appearing for the States are directed to furnish a meaningful response with all details in respect of the 11 directions given in D.K. Basu Vs. State of West Bengal, as well as the information which has been found to be deficient in the chart filed by Dr Singhvi. In some of the States/ Union Territories, it appears that in respect of the custodial deaths, inquiries have been initiated u/s 176 CrPC but the reports of inquiries are not available. All those States are required to file affidavits through the Home Secretary of the State concerned, indicating the status of all those inquiries and wherever reports have been received, to furnish copies of those reports together with such other details as are possible, with a view to get a complete picture and ascertain compliance with the directions given in Basu Case (Supra). The needful shall be done within 8 weeks, with an advance copy to Ms Aggarwal, learned counsel. The matters shall be listed on 31-7-1998 at 2 p.m.

