ITEM NO.301 COURT NO.9 SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO.11263/2025

[Arising out of impugned final judgment and order dated 05-03-2025 in CRLRC No.373/2025 passed by the High Court of Judicature at Madras]

G. GANESH PETITIONER(S)

VERSUS

STATE OF TAMIL NADU & ORS. RESPONDENT(S)

IA No. 124232/2026 - CONDONATION OF DELAY IN FILING
IA No. 128936/2026 - CONDONATION OF DELAY IN FILING
IA No. 180112/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 180113/2025 - EXEMPTION FROM FILING O.T.
IA No. 124923/2026 - EXEMPTION FROM FILING O.T.
IA No. 226555/2026 - EXEMPTION FROM FILING O.T.
IA No. 225123/2026 - EXEMPTION FROM FILING O.T.
IA No. 124007/2026 - EXEMPTION FROM FILING O.T.
IA No. 123998/2026 - EXEMPTION FROM FILING O.T.
IA No. 164744/2026 - EXEMPTION FROM FILING O.T.
IA No. 120641/2026 - EXEMPTION FROM FILING O.T.
IA No. 164698/2026 - EXEMPTION FROM FILING O.T.
IA No. 226851/2026 - EXEMPTION FROM FILING O.T.
IA No. 120068/2026 - EXEMPTION FROM FILING O.T.
IA No. 160548/2026 - EXEMPTION FROM FILING O.T.
IA No. 226835/2026 - EXEMPTION FROM FILING O.T.
IA No. 226689/2026 - EXEMPTION FROM FILING O.T.
IA No. 128343/2026 - EXEMPTION FROM FILING O.T.
IA No. 226561/2026 - EXEMPTION FROM FILING O.T.
IA No. 224448/2026 - INTERVENTION APPLICATION
IA No. 72070/2026 - INTERVENTION/IMPLEADMENT
IA No. 88992/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 05-10-2026 This matter was called for hearing today.

CORAM :
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

Signature Not Verified
Digitally signed by POOJA SHARMA
Date: 2026.10.15 18:29:59 IST
Reason:

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O R D E R

Heard Ms. Mukta Gupta, learned Senior Counsel/Head of the Committee appointed by this Court along with Mr. S.D. Sanjay, Coordinator and Convener, Dr. P.M. Nair, Committee Member, Ms. Aparna Bhat, learned Senior Counsel and Committee Member, Ms. Archana Pathak Dave, learned A.S.G. and other learned counsel for the parties.

2. In her submissions, Ms. Mukta Gupta, learned Senior Counsel, the most serious issue which she has flagged relates to substantive number of Police Stations all over the country not being connected by a common internet platform and in some cases the Police Stations not even having a system on which they can upload the details of the cases pending in that Police Station. In today's world, where every office is supposed to have a digitized set up/computer facility for digitizing the data related to the working of that office, Police Stations not having such facility is absolutely unacceptable.

3. For the present, we refrain from taking a strict view and passing severe orders against the concerned States. We give them one last opportunity to ensure that all Police Stations are digitally connected, latest within one month from today. As a consequence, all First Information Reports would be also mandatorily uploaded on the said

computer, which in turn, through the internet would also be uploaded on the concerned portal, both at the State level, if any, and the national portal, i.e., CCTNS. We clarify here that in cases where privacy issues may be involved or there may be some data which may be sensitive for national security, to that extent such data may be redacted/not specified while uploading on the portals, national or State, though to be maintained in the concerned Police Station.

4. We clarify that within one month all Police Stations to be equipped with basic hardware material relating to digitization/computerization with the facility of internet, either through a dedicated line or by way of a dongle etc. Similarly, the Child Welfare Committees (CWCs) be also digitized/computerized within the same period of one month from today.

5. Such compliance shall be monitored and ensured by the respective Chief Secretary/Home Secretary as also the Director Generals of Police of the States/Union Territories (UTs) and also Secretary, Women and Child Welfare Department or any other administrative department of the CWC. The Chief Secretary and the Finance Secretary of the concerned State/UT shall ensure that sufficient funds are provided for such digitization/computerization. We indicate here that the equipments chosen shall not be

in a manner where just because under the garb of this order, obsolete equipments at higher rates are taken and there shall be strict monitoring of the procurement process so that the up-to-date technology of the day is bought and the prices are fixed or paid in accordance with law, for which the Director General/In-charge of Vigilance Department of the concerned State/UTs shall be a member of the Procurement Committee. The specifications for the same would be universal and as specified by the NIC. We indicate that the Director of the NIC shall personally form a team to provide the specifications and if it comes to the notice of the Court that there has been any deviation from the two principles of up-to-date technology and the prices which can be negotiated to the benefit of the State Exchequer has not been kept in mind, the Director, NIC and the Procurement Committee shall be personally liable to answer this Court. Under no circumstances the equipments shall be brought from the GeM Portal of the Union.

6. Ms. Mukta Gupta, learned Senior Counsel has indicated to the Court that in Paragraph 4(ii) of the order dated 22.05.2026, there is a direction to the Head of the Police force of the concerned district to forward a copy of the FIR to the jurisdictional Court in cases where the missing person is restored to his/her family within 24 hours and

the matter to stand closed at that level itself. She has indicated that there may be instances where recovery may have been been made within 24 hours, but the reason for the person to go missing may be a criminal offence or a crime. We appreciate the assistance of Ms. Mukta Gupta in indicating that the said order needs appropriate clarification. Accordingly, the said direction would be with a caveat that if the missing person is restored to his/her family member within 24 hours, the statement of the person shall be recorded and only if it indicates that the so called missing of the person was inadvertent without any criminal role attributed to any other person, in such case only, the said direction to close the case shall be applicable.

7. We are also informed that a coordinate Bench of this Court in Miscellaneous Application No. 729 of 2025 in Criminal Appeal No. 1927 of 2025 titled "Pinki Versus The State of Uttar Pradesh and Anr." while dealing with the issue of human trafficking taking place through Surrogacy and Assisted Reproductive Technology (ART) clinics, and for the proper implementation of the Assisted Reproductive Technology (Regulation) Act, 2021 and the Surrogacy (Regulation) Act, 2021, the present Committee headed by Ms. Mukta Gupta, learned Senior Counsel has been entrusted to go into that aspect also, and the report to be

submitted in the present proceedings may also have a Chapter on such issue(s).

8. Let the same be done accordingly.

9. For integrating all portals, be it National or State, it appears that there are some glitches. Having regard to the aforesaid, we direct that the agencies which operate such portal(s) will sit together and get the issue resolved with regard to seamless integration of data from one platform to the other by taking the help of specialists in the field. The National Crime Records Bureau (NCRB) shall coordinate such exercise. Substantive progress in this regard should also be reflected in the report to be submitted by the NCRB by the next date. We are informed that NCRB is a participating agency. Let Ms. Archana Pathak Dave, learned ASG communicate this order to the NCRB for its immediate and strict compliance.

10. The Court would also indicate that the ultimate aim should be that there is seamless transmission/integration of data from whatever local or other digital portal which is in existence to the CCTNS 2.0.

11. It shall not be an excuse for the CCTNS that all Police Stations are not being digitized/computerized. The work of the CCTNS is to ensure that there is integration of all such platforms, which has nothing to do whether all police stations or other institutions are digitized/

computerised.

12. In view of the Court being informed by Dr. P.M. Nair, learned Member of the Committee, that as of now the Police Stations are required to upload the data with them on the CCTNS, as also on the mission Vatsalya, there should be a software so that uploading on any one platform would automatically integrate the same on all connected platforms, meaning thereby that there is real time synchronisation, that too, by uploading of the data on any one of the concerned platforms.

13. The following suggestion at Paragraph No. 17(vi) of the Third Status Report is reproduced for further clarity:

> "17(vi) Necessity to have complete and seamless integration of information between CCTNS and Mission Vatsalya portal, so that there is no duplication of data entries and there is real-time update of information between the two platforms. The National Crime Records Bureau (NCRB) and Ministry of Women and Child Development (MWCD)alongwith their software developers are required to prepare a common integration plan, which indicates the present status of integration of the two platforms and the exact time that would be required in completing the remaining integration."

14. The term Police Station shall include all such

institutions or stations which have the power under the BNSS or any other relevant Statute to take action with regard to any criminal activity, including the Railway Police and also to all agencies which have the power to take cognizance and investigate and take action with regard to missing persons.

15. A suggestion has also been made at Paragraph No.17(x) of the Third Status Report, which reads as under:

> "17(x) CCTNS is also required to integrate data from the CCTVs installed at all Railway Stations and bus stands in India because the major means of transportation of a person trafficked is through buses or railways."

16. We find the said suggestion to be very relevant and to add to the same, it shall also include the Airports. The exercise to be undertaken should also include the aforesaid suggestion. In addition, since India has a very long coastline and human trafficking has been found to be taking place through the water route, such exercise should also cover the ports.

17. For the purpose of convenience, let the copies of the Third Status Report submitted by the team headed by Ms. Mukta Gupta, be supplied to the learned Counsel for the States/U.Ts. through email by the learned Advocate on Record assisting the Committee.

18. We direct the concerned State Governments to wake up to the situation and ensure that the orders passed from time to time, especially the directions given today are strictly complied with within the time frame indicated.

19. The Chief Secretaries who were directed to appear and in whose cases no exemption has been granted by the Court, including where applications have been filed but no order passed, were required to be physically present before the Court today, but have chosen not to do so. In view thereof, notice for contempt is issued against the said Chief Secretaries. Registry to act accordingly.

20. In respect of the State of Kerala and U.T. of Daman and Diu, though appearance has to be directed, but in view of the fact that on earlier occasion also we had exempted from personal appearance Chief Secretaries of the States where the initial affidavit had been filed, the State of Kerala and U.T. of Daman and Diu are also given that benefit. Chief Secretaries of the State of Kerala and U.T. of Daman and Diu stand exempted from personal appearance.

21. We request Ms. Mukta Gupta, learned Senior Advocate, to also take note of the suggestion made by the State of Tamil Nadu in its report filed on 17.04.2026.

22. The Court is now taking the matter with regard to the Commissioners of Police of Delhi and Gurugram.

23. An affidavit has been filed by the Commissioner of

Police, Gurugram, Mr. Shibash Kabiraj. Mr. Ayush Yadav, DCP South, Gurugram is present in Court. However, he submitted that he has taken charge only on 22.09.2026. Thus, we called upon the learned Counsel for the State of Haryana to ensure the presence of the then DCP, who currently holds the post of DCP, Traffic, Gurugram. In terms thereof, Mr. Hitesh Yadav, DCP Traffic, Gurugram is also present in Court. From the affidavit filed by the Commissioner of Police, Gurugram, we find that there has been not one but continuous lapses/blunders committed by the Police. We cannot accept such happening from a metro police like Gurugram and that too, where there is a Commissionerate, where more powers are vested in the Police than in other Districts where Superintendents of Police head the post and in such a scenario, when a body of a dead person is recovered and which is not identified, the casualness with which it is treated that its details are not uploaded on the portals concerned and then after four days, the post-mortem is held and the body is cremated with whatever there was on the body like the *kada* and the watch worn by the person which is proved from the fact that the articles which have been received by the family with regard to the last mortal remains of the deceased, include a burnt *kada* and a burnt watch. There are no answers forthcoming, either from the learned State

counsel or from the present and past DCPs and neither the same is available in the affidavit of the Commissioner of Police, Gurugram.

24. Learned counsel for the State of Haryana submitted that action has been initiated against the concerned Investigating Officer, SHO, the Control Room Incharge and the two Doctors, one being the Doctor who was the part of the FSL team which went to the scene of the crime and the other, who actually conducted the post-mortem.

25. Learned counsel for the State submitted that immediate strict follow-up action would also be taken and on the next date, such action shall be brought before the Court. We put to notice the Chief Secretary and the Director General of Police for the State of Haryana to ensure that strict action is taken in the matter against all concerned, without any discrimination and in the departmental proceedings, every lapse shall be taken note of which more importantly shall be followed up by issuing of necessary and appropriate directions to all concerned/ Police Stations so that such type of incidents or conduct is not repeated in future.

26. Coming to the issue of which should be the Police Station for investigating the crime, we find that as the FIR was lodged in Delhi, based on their investigation, arrests have been made and investigation is proceeding on

right track and the material objects also being in their possession, the FIR lodged at Lajpat Nagar shall be the substantive FIR on which, all follow-up proceedings shall be based, including trial. However, the Gugrugam Police shall fully cooperate with the Delhi Police with regard to whatever assistance which may be required by them in the present case.

27. The DCP, South East Delhi is also present in Court and the Commissioner of Police has filed an affidavit. We expect that the Delhi Police would do a professional investigation in the present matter to ensure that whatever material is collected for the purposes of trial are well researched and material objects preserved so that it can stand the test of trial in accordance with law. When the matter will be listed on 01.12.2026 at 02:00 p.m., a fresh report shall be submitted by the State of Haryana and the Commissioner of Police, Delhi in the matter.

28. Another issue which has been flagged by learned Senior Counsel for the intervenor, who has filed an application for impleadment, who is the sister of the deceased whose body was recovered from Gurugram, is the manner in which unclaimed and unidentified bodies are cremated. On this, we indicate that the Committee especially the Union of India in coordination with all the States shall come up

with a Standard Operating Procedure with regard to disposal of the mortal remains of unidentified dead persons. As an idea, the Court may indicate that for such purpose, services of the local voluntary organisations for performing cremation/burial may also be utilised.

(SAPNA BISHT)	**(POOJA SHARMA)**	**(ANJALI PANWAR)**
COURT MASTER (SH)	**AR-CUM-PS**	**ASSISTANT REGISTRAR**