

## **Chief Justice's Court**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 2099 of 2023

**Petitioner :-** In Re

**Respondent :-** Bar Council Of U.P.

**Counsel for Petitioner :-** Suo Moto, Abhinav Gaur, Vibhu Rai

**Counsel for Respondent :-** Ghan Shyam Singh, Arvind Kumar Rai, Dharmendra Singh, Mata Prasad Pal, Shyam Singh Somvanshi, Suprabha Dwivedi

**Hon'ble Pritinker Diwaker, Chief Justice**

**Hon'ble Mahesh Chandra Tripathi, J.**

1. Heard Sri Ashok Kumar Singh and Sri Nitin Sharma for the Allahabad High Court Bar Association; Sri R.K. Ojha, learned Senior Advocate, assisted by Sri Ashok Kumar Tiwari, Advocate for Bar Council of U.P.; Sri Anil Tiwari, learned Senior Advocate for Bar Association, Hapur, Sri Manish Goyal, learned Additional Advocate General for State and Sri V.P. Srivastava, learned Senior Counsel, as Amicus.

2. In compliance of our previous direction issued in this petition the preliminary fact finding report has been produced before us in a sealed envelope through the Registrar General of this Court. The sealed envelope has been opened on our direction and the report has been perused by us. On our permission the report has also been perused by learned counsels representing different Associations of Bar.

3. On behalf of respective Bar Associations/Bar Council, it is urged that the preliminary report of SIT is not satisfactory, inasmuch as, the incident relating to Hapur has not been examined in correct perspective. It is also urged that various aspects relating to grievance raised by the advocates have been overlooked.

4. Sri Manish Goyal, learned Additional Advocate General appearing for the State submits that in the matter initially 22 complaints were received and the FIR is already lodged on 6.9.2023 at the instance of aggrieved Advocates. The investigating officers are making all endeavours to hold fair and impartial enquiry. So far as various complaints received in the matter, it is not possible that all such complaints be adverted in such a short time. He assures the Court that the matter would be investigated fairly and promptly and the outcome in respect thereof would be placed before the Court on the next date fixed. We are also

informed that the State in order to ensure fairness in the investigation has transferred the investigation of the criminal cases relating to Hapur incident to Meerut.

5. At this stage of the proceedings, we do not intend to make any observations/comments in respect of the ongoing investigation as the investigating authorities are already ceased of the matter. We only observed and hope that the investigating authorities shall conduct the investigation in a fair, transparent and impartial manner and all aspects relating to the incident would be thoroughly probed.

6. It goes without saying that the FIR lodged at the instance of aggrieved advocates will be duly examined and investigated in a fair and impartial manner. The progress of investigation shall be placed on record by filing the affidavit of the concerned Zonal Additional Director General of Police on the next date fixed.

7. List this matter on 12.10.2023 at 2 PM.

**Order Date :- 18.9.2023**

RKP