

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Reserved on: 6th September, 2018
Decided on: 31st October, 2018

+ **CRL.M.C. 3280/2013 & Crl.M.A.No.16766/2015**

DR. SUBRAMANIAN SWAMY Petitioner
Through: Ms. Ramni Taneja, Advocate.

versus

STATE OF UP & ORS. Respondents
Through: Mr. Kaushal Yadav, PP with Mr.
Ram Kishor Singh Yadav, AOR
and Mr. Zaki Ahmed Khan,
Advocates for State of UP.

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE VINOD GOEL**

1. This is a petition by Dr. Subramanian Swamy praying *inter alia* that (i) this Court should order a further investigation into the Hashimpura massacre through a Special Investigating Agency ('SIT') and (ii) direct that the original enquiry report of the CB-CID which was tabled before the State of U.P. in 1994 should be made public.

2. The Court has considered the petition, the application, the submissions of Ms. Ramni Taneja, learned counsel for the Petitioner as well as the written arguments.

3. As far as prayer (ii) is concerned, the Court accepts it and directs that the State of U.P. shall place on its website in a prominent place a scanned read-only copy of the original enquiry report, with its enclosures, of the CB-CID given in the Hashimpura massacre that took place on 22nd May 1987.

4. As regards prayer (i), the Court notes that in the over three decades since the massacre, no significant developments are stated to have taken place, or leads unearthed, warranting the direction sought. Prayer (i) is, therefore, declined. However, this will not preclude the concerned investigating agency from further pursuing the matter in accordance with law. It will be open for the Petitioner too, if he has any further material, to share it with such agency to facilitate the exercise.

5. The petition and the application are disposed of in the above terms.

S. MURALIDHAR, J.

VINOD GOEL J.

OCTOBER 31, 2018

shailender/rd/mw