

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL.) No.498 OF 2023

THANGJAM SANTA SINGH @ SANTA KHURAI

... PETITIONER

Versus

THE STATE OF MANIPUR & ORS.

... RESPONDENTS

O R D E R

1. Criminal proceedings were initiated against the petitioner due to the unfortunate incident of some avoidable remarks made by the petitioner on social media, i.e., Facebook complaining about her non-association in the decision-making process, where she was initially invited to attend a meeting organized by the Manipur State Transgender Welfare Board - she being a representative of trans-women.

2. The instant Writ Petition was filed to challenge the initiation of criminal proceedings. The arrest of the petitioner was stayed vide order dated 18.10.2023 with a further direction not to register any case against her based on the posts. She was also asked to join the investigation vide order dated 26.02.2024.

3. The petitioner has joined the investigation. Learned Senior Counsel for the petitioner very fairly states that the petitioner regrets the remarks she made on Facebook and he explained that she had no intention, at all, to harm the reputation or image of the Government Department(s) or of any Authority. It was only an effort to seek her representation in the Manipur State

Transgender Welfare Board, so that the voice of trans-women could also be heard. Learned Senior Counsel for the petitioner, on instructions, conveys the petitioner's undertaking that in future, no such remark shall be made by her on any public platform or social media. Further, as and when she will have any grievance, she will address the same to the Higher Authorities, or will seek redressal of her grievances before an appropriate forum.

4. We have persuaded the learned Advocate General and the Standing Counsel for the State to be magnanimous and ignore the one-time bonafide mistake made by the petitioner. He has fairly agreed to our suggestion.

5. In view of this, and subject to the petitioner's complying with the statement made before us on her behalf, the notice under Section 160 Cr.P.C., issued to her by the Officer-in-Charge, Porompat Police Station, and all the subsequent proceedings initiated pursuant thereto, are hereby quashed.

6. We appreciate the gesture shown by learned Advocate General and learned standing counsel for the State of Manipur.

7. The Writ Petition stands disposed of in the above terms.

8. As a result, the pending interlocutory application also stands disposed of.

.....J.
(SURYA KANT)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
SEPTEMBER 23, 2024.

ITEM NO.17

COURT NO.4

SECTION X

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

Writ Petition(s)(Criminal) No(s).498/2023

THANGJAM SANTA SINGH @ SANTA KHURAI

Petitioner(s)

VERSUS

THE STATE OF MANIPUR & ORS.

Respondent(s)

(FOR ADMISSION and IA No.212658/2023-EXEMPTION FROM FILING
AFFIDAVIT)

Date : 23-09-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. Anand Grover, Sr.Adv.
Mr. Suhaan Mukerji, Adv.
For M/S. PLR Chambers and Co., AOR

For Respondent(s) Mr. Lenin Singh Hijam, Adv.Genl.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

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

1. The Writ Petition stands disposed of in terms of the signed order.
2. As a result, the pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed order is placed on the file)