

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**

CRL. MISC. APPLICATION. No. \_\_\_\_\_ OF 2010

IN

SPECIAL LEAVE PETITION (CRIMINAL) No. 5599 OF 2009

IN THE MATTER OF:

SANSAR CHAND

... Petitioner

Versus

STATE OF RAJASTHAN

... Respondent

AND IN THE MATTER OF

WILDLIFE TRUST OF INDIA

THROUGH ITS EXECUTIVE DIRECTOR, VIVEK MENON

B-13 SECOND FLOOR, SECTOR 6, NOIDA, UTTAR PRADESH

AND IN THE MATTER OF

WILDLIFE PROTECTION SOCIETY OF INDIA

THROUGH ITS EXECUTIVE DIRECTOR BELINDA WRIGHT

S 25 PANCHSHEEL PARK, NEW DELHI

**APPLICATION FOR INTERVENTION IN THE SPECIAL LEAVE PETITION**

To,

The Hon'ble Chief Justice and  
His companion Judges of the  
Hon'ble Supreme Court of India

The humble application of the applicants/ interveners'

**MOST RESPECTFULLY SHOWETH:**

1. The Applicant/ intervener No. 1 is the Wildlife Trust of India (WTI), a non-profit conservation organisation set up in the year 1998, its mission is to conserve nature, especially endangered species and threatened habitats. The applicant has raised a number of issues before different Courts by way of Public Interest Litigations on issues such as mis-management of Tiger Reserves, Non-payment of salaries to Forest staff by State Governments. It has conducted capacity building training for forest staff in different protected areas across the country and works closely with enforcement agencies of both the Central as well as State Governments in ensuring effective prosecution of wildlife offenders.
  
2. The Applicant/ Intervener No. 2 is the Wildlife Protection Society of India. It was established in 1994, with the aim of providing support to wildlife enforcement agencies, protection of wildlife habitat and to strengthen the enforcement of environmental laws. Ms. Belinda Wright, the Founder and Executive Director of the Applicant is a renowned tiger conservationist and wildlife campaigner, who has spent over thirty-five years working on wildlife issues in India. The Applicant has conducted studies with State Governments on the control of the illegal wildlife trade and has also conducted field surveys on vulnerable tiger populations outside the tiger reserve network. The organisation also maintains a comprehensive database on wildlife crime which presently holds records of more than 16,500 wildlife cases.
  
3. That the Applicants/Interveners are filing this present application in order to draw the attention of this Hon'ble Court to the illegal activities of Sansar

Chand which has wider ramifications on the protection of wildlife in the country as a whole. This is important, given the fact that the population of various species are in decline and the major reason for the same is habitat destruction and poaching of wild animals to meet the illegal demands of the national and international markets.

4. The Applicants would like to highlight the following facts with respect to the threat faced to wildlife due to the illicit trade:

i. India is in extreme danger of losing much of its natural heritage with species dying out at an alarming rate. The tiger and the leopard are both listed in Schedule I of the Wildlife (Protection) Act, 1972, and are thus accorded the highest degree of protection. Despite this, their numbers continue to dwindle. According to latest all India survey by the Wildlife Institute of India (an autonomous body under the Ministry of Environment and Forests) there were about 1411 tigers left in India in 2008. There are no reliable estimates of the leopard population in India as no proper census of the leopard population has been carried out. However, the mention of the leopard in Schedule I shows that it is also a critically endangered species.

ii. Poaching and the illegal trade in wildlife is one of the biggest threats to the survival of mega-fauna such as the Tiger and the Leopard. Poaching is an organized, international, illegal activity that generates massive amounts of money for the criminals who participate in it.

iii. Tigers and leopards are poached for their skins, bones and other constituent parts as these fetch high prices in countries such as China,

where they are valued as symbols of power and ingredients of dubious traditional medicines. A copy of the Publication titled ' Skinning the Cat' published by the Wildlife Protection Society of India and the Environment Investigation Agency is hereto annexed and marked as

**Annexure A**

- iv. The Applicant/ Intervener No. 2 maintains a record of any unnatural tiger or leopard death, or seizure of their parts. According to records maintained by the Applicant/ Intervener No. 2, poaching accounts for the following number of tiger and leopard deaths since 1994:

<b>Year</b>	<b>Tigers</b>	<b>Leopards</b>
1994	95	138
1995	121	143
1996	52	110
1997	88	145
1998	39	69
1999	81	135
2000	52	1,278
2001	72	167
2002	46	89
2003	38	148
2004	38	123
2005	46	199
2006	37	163
2007	27	126
2008	28	161

2009	27	113
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Applicant/ Intervener No. 2's information comes from enforcement authorities across the country, the Applicant's field staff, the media, and other sources. The Applicant/ Intervener No. 2 submits that of the 76 reported tiger deaths to have occurred in 2009, 27 or 35% of these are attributable to poaching. These figures only represent cases that have been detected by the Authorities. The real figures are probably much higher.

- (v) The following chart (updated till 21.07.2010) as maintained by National Tiger Conservation Authority (NTCA) shows the details of year wise Tiger mortality :-

Year	Natural (Animals)	Poaching (Animals)	Total (Animals)
1999	9	24	33
2000	1	9	10
2001	8	36	44
2002	23	36	59
2003	24	20	44
2004	17	5	22
2005	17	-	17
2006	17	5	22
2007	20	10	30
2008	22	9	31
2009	49	17	66

2010	13	17	30
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- (vi) In the last decade, poaching, and the illegal trade in tiger parts have been responsible for the total disappearance of tigers from two of India's most renowned Tiger Reserve viz Panna Tiger Reserve at Madhya Pradesh and Sariska at Rajasthan. The reports that have come about as a result of the Central probes into these tragedies clearly pin down poaching as the prime cause of the disaster. The Enquiry Report of the Special Investigation Teams into the disappearance of tigers from Sariska Tiger Reserve in Rajasthan and Panna Tiger Reserve in Madhya Pradesh both squarely name poaching as the main cause for the extinction of tigers in these areas. Both reports are attached and marked hereto as **Annexures-'B'** and **Annexure-'C'** respectively.
- (vii) There is virtually no market for either skins or bones of tigers and leopards within India. The evidence available points out that tigers and leopards, poached in the Indian wilderness, are then smuggled across the border to meet the demand for their products in neighbouring countries such as China. When dealing with tiger and leopard poachers and traders, it is therefore important to bear in mind that one is dealing with trans-national organized crime. The accused in these cases represents a link in a larger criminal network that stretches across borders. This network starts with a poacher who in most cases is a poor tribal and a skilled hunter. Poachers

kill tigers and leopards so as to supply the orders placed by a trader in a larger city centre such as Delhi. These traders are very wealthy and influential men. Once the goods reach the trader, he then arranges for them to be smuggled across the border to his counterpart in another country and so on till it reaches the end consumer. It is impossible for such a network to sustain itself without large profits and intelligent management.

5. That Sansar Chand the Petitioner herein has long history of involvement with wildlife crime. A brief account of the same is given herein below:

- (i) In a seizure dated 11.09.1974 having criminal case No. 20/3 Sansar was held guilty by the Court of Shri H.P.Sharma, ACMM, Delhi on 1.8.1981 and sentenced on 3.8.1981 to Rigorous Imprisonment for one year and six months. The Hon'ble Supreme Court of India vide it's judgment dated 13.5.1994 ordered the release of Sansar Chand on the ground that he was a Juvenile on the date of offence and his sentence be considered to have undergone.
- (ii) In another seizure dated 20.11.1974 he was held guilty and sentenced to pay fine of Rs.20,000/-.
- (iii) The third conviction of Sansar Chand was by the Special Railways Court vide it's order dated 20.04.2004 which was pleased to award Sansar Chand Rigorous Imprisonment for 5 years. The said Judgment has been subsequently affirmed by the Sessions Court on 19.10.06 and the High Court of Rajasthan vide it's order dated 10.12.2008 against which Sansar Chand has preferred this Petition by Special Leave.

- (iv) In addition to the above there are other cases pending against the Petitioner which provide details of his pending cases in various Courts and which were admitted by him in his statement under Section 313 of Cr.P.C and which are Ex.P-46 and P-47. The Applicants rely on the said Exhibits to show the extent of involvement of Sansar Chand in wildlife crime.
- (v) In order to highlight the extent of the organised nature of wildlife crime being done by the Petitioner, it is important to mention here that it is not just Sansar Chand, but other members of his family and associates who are also involved in the illegal trade in wildlife. According to the information available with Applicant/Intervener no.2, name of Petitioner's younger brother Narayan Chand is mentioned in FIR No. 82/2005, Kamla Market Police Station, New Delhi, involving the seizure of ,inter alia, 2 tiger skins, 38 leopard skins and 1 snow leopard skin and has been named as an accused in the complaint filed under Section 55 of the Wild Life Protection Act in this case. Narayan Chand is also an accused in Court Case No. 1145/2009 being tried before the Additional Chief Judicial Magistrate, Haldwani, arising from Preliminary Offence Report No. 13/ Fatehpur/ 2008-09, involving the seizure of 1 tiger skin and a tiger skeleton. Sansar Chand's wife Rani and son Akash are accused in the case arising from FIR No. 362/2004, Manak Chowk Police Station, Jaipur, involving the seizure of leopard paws and claws. CBI in the year 2005 invoked MCOCA against Sansar Chand and his family members and associates which case is pending trial in a Delhi Court.
- (vi) That very recently on 25-8-2010, the Additional Chief Metropolitan Magistrate sentenced Sansar Chand to six years of



imprisonment and a fine of Rs 50,000 for possessing leopard skin illegally. A copy of the Judgement dated 21.08.2010 and order on Sentence dated 25.08.2010 is hereto annexed and marked as

**Annexure D**

6. The involvement of Petitioner Sansar Chand in this case is proved on the basis of the following circumstances which have been correctly dealt with by the Courts below:-

(i) Accused hatched a conspiracy with malice and carried out hunting of Panthers and two skins were recovered from the possession of accused Balwan in the checking by Railway Police in the night of 5.1.2003-6.1.2003 on Chetak Express. **(Pages 428-430 of the Paper book).**

(ii) During investigation on the basis of the information under Sections 27 of Evidence Act given by Balwan to the I.O vide memo Ex.P-6 which was to the effect that he was to deliver these skins to Sansar Chand at Sadar Bazar, Delhi and he had obtained those skins from one Bhura Gameti resident of Malwa Ka Chauraha's **(Page 341 of Paper book)** In ***Bodhraj vs. State of J & K, (2002) 8 SCC 45***, it has been held on the nature of reliability of information received from accused that the information might be confessional or non-inculpatory in nature, but if it results in discovery of a fact, it becomes a reliable information.

(iii) The fact that accused Balwan disclosed before I.O Nauratmal the name of accused Sansar Chand just next day of his arrest i.e 7.1.2003 and thereafter led to the house of accused Sansar

Chand at Sadar Bazar, Delhi are such facts which prove that accused Sansar Chand was already known to the accused Balwan prior to the incident. **(Pages 343-344 of the Paper book)**

- (iv) It is well settled that even a discovery of fact comes under the purview of Section 27 of the Evidence Act. **(Page 342 of Paper book)**. It is also noticeable that the train in which accused Balwan was travelling in the night of 5.1.2003 and 6.1.2003 goes from Udaipur City to Sarai Rohilla, Delhi. **(Page 348 of the Paper book)**
- (v) Further, during investigation on the basis of the information under Sections 27 Evidence Act given by Balwan to the I.O Knife, capped gun, iron funda, nails of Panthers Paw's and bones of killed Panthers were proved as recovered **(Pages 428-430 of the Paper book)**.
- (vi) On the basis of information given by accused Balwan under Section 27 Evidence Act he led to the house of Sansar Chand at Sadar Bazar Delhi and verified the residence of appellant Sansar Chand by Ex-P-58 memo of house search of Sansar Chand. **(Pages 428-430 of the Paper book)**.
- (vii) Prosecution proved as Ex. P-45 a list of houses of Sansar Chand and those purchased by him and his wife. All the houses have been proved to be belonging to Sansar Chand by the evidence of Prosecution. **(Pages 428-430 of the Paper book)**.
- (viii) The case of the prosecution vests not only and mainly on the extra judicial confession made by the accused Balwan. The prosecution has proved it's case by concrete and strong evidence in addition to this extra judicial confession. The evidence is found

to be corroborated by this extra judicial confession made by accused Balwan. **(Pages 366-367 of the Paper book)**

(ix) In the extra judicial confession of accused Balwan Ex.P-33 he has disclosed that he had old relations with accused Sansar Chand and at his direction he went to house of Bhura Gameti at Malwa Ka Chauraha to bring the skins. **(Page 349 of the Paper book)**

(x) The extra judicial confession of accused Balwan was written by Arvind, who himself was serving a life sentence and who used to help the jail authorities in writing petitions. According to Arvind he has written the facts in confession Ex.P-33 as dictated by accused Balwan and presented before him and was read out and explained to accused Balwan who admitted it to be correct and put his T.I. on each page of the letter which has been attested by this witness on each page. **(Pages 255-256 of the Paper book).**

(xi) Witness Arvind has neither any friendship nor enmity with the accused Balwan. He is absolutely neutral man. Evidence of Arvind is significant because he is himself a sentenced person, who would not have any sympathy for the Police or would have malice against an accused framed by Police. Whatever confession was made by accused Balwan was verbatim recorded by Arvind. **(Pages 360-361 and 363 of the Paper book).**

(xii) According to the Trial Court a certificate in a confession is required in a Judicial Confession before a Magistrate and not an extra judicial confession and Mr. Sehgal Advocate for the Sansar Chand could not show any case law to the contrary. There is no rule or law to show that on such application or confession to

issue a certificate by jail authorities is mandatory **(Page 363 of the Paper book)**.

(xiii) Accused Balwan had stated while in Judicial custody that he had been forcibly involved in this case and he wanted to become prosecution witness to state the truth and wanted to bring it to the notice of the Court through a letter wherein he voluntarily confessed his crime before a prisoner Arvind Kumar without any pressure, inducement, or promise and he wished to become prosecution witness in the case which is clear proof of his good intention **(Pages 255- 256 and 364 of the Paper book)**.

(xiv) Accused Balwan made this extra judicial confession before Arvind Kumar in Central Prison, Ajmer 6-7 days after 16.1.2003 when he was remanded to judicial custody. It becomes clear that in fact the above confession made by the accused Balwan recorded on a letter Ex. P-33, was made without any inducement, threat or promise and he made the confession after being remanded to judicial custody and therefore it cannot be held that he made this confession under undue influence, fear or inducement of the Police. **(Pages 246- 247 of the Paper book)**.

(xv) It is noteworthy that accused Balwan was originally arrested on 6.1.2003. He remained in police custody till 16.1.2003. Thereafter, he was in judicial custody till 25.1.2003, when he was released on bail after furnishing surety. Thus, the extra-judicial confession dated 23.1.2003 was made at the time when the accused was in judicial custody, and his bail order had already been passed. The fact that Balwan was in judicial custody, and that he had already been ordered to be released on bail is a very

strong circumstance showing that the extra-judicial confession was voluntary and reliable.

(xvi) The next aspect that has gone on to corroborate the genuineness of the confession is the evidence of PW11 Arvind, who was the prisoner who recorded the statement of Balwan in prison. This witness withstood the test of cross-examination, and established the fact that accused Balwan had made the confession voluntarily to him, without the presence of any jail authority around them. There is nothing on record to indicate any motive for PW11 Arvind Kumar to falsely implicate the petitioner or the other accused. In **Aftab Ahmad Ansari vs. State of Uttaranchal, (2010) 2 SCC 583**, it has been held that "...the Court, on re-appreciation of evidence finds that it is not brought on the record of the case that this witness was on inimical terms with the appellant. In fact, this witness does not belong to the community of the appellant and belongs to another community. There was no earthly reason for this witness to come to the Court and depose falsely about the extra-judicial confession made by the appellant. Though extra-judicial confession is considered as weak piece of evidence by the courts this court finds that there is neither any rule of law nor of prudence that the evidence furnishing extra-judicial confession cannot be relied upon unless corroborated by some other credible evidence. The evidence related to extra-judicial confession can be acted upon if the evidence about extra-judicial confession comes from the mouth of a witness who appears to be unbiased and in respect of whom even remotely nothing is brought out which may tend to indicate

that he may have a motive for attributing an untruthful statement to the accused.”

(xvii) The evidence of PW11 Arvind Kumar was also corroborated by Jailor-PW10 Chandra Kant Gothwal on the question of Extra-judicial confession.

(xviii) PW11 Arvind Kumar admitted that he wrote the letter Ex.P-33 as directed by Jailor Gothwal but this letter was not written in his presence but was written as dictated by accused Balwan in a room in that Hall. By Accused Balwan no suggestion has been put that the said letter was not written by this witness. **(Page 252 of the Paper book).**

(xix) As far as the contention regarding Section 313 CrPC is concerned, it is respectfully submitted that a bare perusal of the statement shows that all facts appearing against the petitioner were duly put to him, and complete compliance with Section 313 CrPC was made in the present case.

(xx) As regards retraction of this confessional statement by accused Balwan in his statement under Section 313 Cr.P.C the Trial Court observed that accused Balwan during the pendency of this case, never complained to the Court or any competent officer that his confessional statement had been forcibly written in the Central Prison, Ajmer or his T.I. was taken on a sheet of paper and wrote on it on his own. To level such allegation in the statement of accused cannot be held as sufficient in itself. **(Pages 254- 255 of the Paper book).**

(xxi) After perusing the contents of the extra judicial confession Ex P-33 the Trial Court came to a conclusion that the same can be

used against the co-accused under Sections 10 and 30 of the Evidence Act. **(Pages 258-261 of the Paper book).**

(xxii) The mere fact of non-recovery is not sufficient to acquit an accused particularly under the Wildlife (Protection) Act, 1972 as in this Act, abetment of any offence to be committed under this act and even violation of Rules have been held punishable. **(Page 358 of the Paper book).** It is respectfully submitted that in the present case, the extra-judicial confession of the co-accused has been corroborated from the recoveries made in pursuance of the same, the previous conviction of the petitioner by this Hon'ble Court and the number of pending cases against him showing that he is a habitual wild life trader.

7. On the issue of aspect of Extra Judicial Confessions, the following decisions are relevant:

(i) In ***Gura Singh vs. State of Rajasthan, (2001) 2 SCC 205*** it has been held that extra judicial confession if true and voluntary, it can be relied upon by the Court to convict the accused for the commission of the crime alleged.

(ii) In ***Piara Singh vs. State of Punjab, (1977) 4 SCC 452***, it has been held that the law does not require that evidence of an extra-judicial confession should in all cases be corroborated.

(iii) In ***Maghar Singh vs. State of Punjab, (1975) 4 SCC 234***, it has been held that the evidence in the form of extra-judicial confession made by the accused to witness cannot be always termed to be tainted evidence. Corroboration of such evidence is required only by

abundant caution. If the court believes the witness before whom the confession has been made and is satisfied that the confession was true and voluntarily made, then the conviction can be founded on such evidence alone.

(iv) In ***Narayan Singh vs. State of M.P., (1985) 4 SCC 26*** , it has been held that It is not open to the Court trying the criminal case to start with a presumption that extra-judicial confession is always a weak type of evidence. It would depend on the nature of the circumstances, the time when the confession is made and the credibility of the witnesses who speak for such confession. The retraction of extra-judicial confession which is a usual phenomenon in criminal cases would by itself not weaken the case of the prosecution based upon such confession.

(v) In ***Kishore Chand vs. State of H.P., 1991 SCC (Cri) 172*** , it has been held that an unambiguous extra-judicial confession possesses high probative value force as it emanates from the person who committed the crime and is and is admissible in evidence provided it is free from suspicion and suggestion of any falsity.

(vi) In ***Hardayal vs. State of U.P., (1976) 2 SCC 812*** it has been held that where the extra-judicial confession has been cogently proved it has been held to be an efficacious proof of guilt.



- (8) It is submitted that given the secretive nature of the illegal trade in wild life, and the intelligent way in which it is managed, it is very difficult to apprehend the top players in this trade with the goods in their possession. These men are careful to ensure that they spend very little time in actual possession of the contraband, and that too only to check and verify its quality. When such contraband is stored in any place, the traders ensure that there is no paper trail leading back to them. The illegal wildlife items are always seized from the carriers of these items, or the poachers themselves. This is why it is important, in such cases, that due weight is given to extra-judicial confessions of the accused carriers or poachers, especially when there are other facts which corroborate this evidence.

In the present case, there are concurrent findings of facts of three courts that the extra-judicial confession made by co-accused Balwan to PW11 Arvind Kumar (a fellow prisoner) was voluntary, reliable and trustworthy. Therefore, the conviction of the petitioner can be based on the extra-judicial confession of Balwan and the other corroborative evidence on record.

It is therefore submitted that, going by the observations of the Courts below the chain of circumstances is complete, pointing clearly to the involvement of Petitioner Sansar Chand in this case alongwith other accused persons.

- (9) The Petitioner Sansar Chand is a habitual offender and has previous record of being involved in wildlife crimes for past several years. He is a wealthy, influential, and crucial link in the chain of criminals who are robbing the nation of its precious natural heritage o endangered

species. The petitioner's history as a criminal stretches back across three decades during which he has facilitated and masterminded the butchery and plunder of thousands of members of the Nation's most protected species. The Applicants herein submit that:

- i. The averments made by the applicant stand corroborated by the fact that the prosecution in the present case had brought in evidence Ex. P-46, being a certified copy of the Judgment dated 13.5.1994 passed by this Hon'ble Court in Criminal Appeal No. 336-337 of 1994, vide which the petitioner had been convicted of offences under the Wild Life (Protection) Act, 1972. In his statement under Section 313 CrPC, the petitioner had admitted the fact of his conviction by this Hon'ble Court.
- ii. Further, the prosecution had also brought on record Ex. P-47 and 48, being certified copies of cases under the Wild Life (Protection) Act pending against the petitioner in various states. Even this list of pending cases was admitted by the petitioner in his statement under Section 313 CrPC. In fact, the Hon'ble High Court in the impugned order has noticed a list of cases brought by the counsel for the complainant pending against the petitioner, and seen that the same disclosed a total of 23 cases pending against the petitioner, right from the time when he was 16 years of age.

It is respectfully submitted that the Petitioner Sansar Chand is a "habitual offender", who is not amenable to changing his ways, in spite of his conviction by the highest court of the land.

(10) That this Hon'ble Court has on previous occasion taken note of the wildlife crimes as a reason of depletion of animal life in the country.

(a) In **State of Bihar vs. Murad Ali Khan, (1988) 4 SCC 655**, this Hon'ble Court has observed:

"8....The preservation of the fauna and flora, some species of which are getting extinct at an alarming rate has been a great and urgent necessity for the survival of humanity and these laws reflect a last-ditch battle for the restoration, in part at least, a grave situation emerging from a long history of callous insensitiveness to the enormity of the risks to mankind that go with the deterioration of environment...

9.... The largest single factor in the depletion of the wealth of animal life in nature has been the civilized man operating directly through excessive commercial hunting or more disastrously indirectly through invading or destroying natural habitats."

(b) In **Indian Handicrafts Emporium and Others versus Union of India and Others, (2003) 7 SCC 589** it has been held :-

*"27.....Protection and conservation of wild animal is essential for very existence of human life. A trade in wild animal which is sought to be prohibited with an object to oversee survival of human beings must be given its full effect...."*

It was also observed:-

"52. We cannot shut out eyes to the statements made in Article 48A of the Constitution of India which enjoins upon the State to protect and improve the environment and to safeguard the forests and wild life of the country. What is destructive of environment, forest and wild life, thus, being contrary to the Directive Principles

of the State Policy which is fundamental in the governance of the country must be given its full effect. Similarly, the principles of Chapter IVA must also be given its full effect. Clause (g) of Article 51A requires every citizen to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures.....”

While emphasizing the need to interpret a penal statute in view of the object it sought to achieve the Supreme Court in *Balram Kumawat versus Union of India*, (2003) 7 SCC 628 held:-

“ Furthermore, even in relation to a penal statute any narrow and pedantic, literal and lexical construction may not always be given effect to. The law would have to be interpreted having regard to the subject matter of the offence and the object of the law it seeks to achieve. The purpose of the law is not to allow the offender to sneak out of the meshes of law. Criminal Jurisprudence does not say so.”

11. That Article 48-A, of the Constitution of India requires the State shall endeavour to protect and improve the environment and to safeguard Forests and the Wildlife of the Country. Similarly, Article 51 A (g), enumerates a fundamental duty of a citizen to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.
12. That no prejudice will be caused to the Petitioner if the applicants are impleaded as an interveners and are allowed to assist this Hon’ble

Court. Even otherwise, the assistance is necessary in larger public interest.

**PRAYER**

It is, therefore, prayed that in the above mentioned facts and circumstances this Hon'ble Court may pleased to :-

- i) Pass an order thereby allowing the Applicant to intervene in the above titled Petition as an intervener.
- ii) Pass any such order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER SHALL, AS IN DUTY BOUND EVER PRAY.

DRAWN BY:

FILED BY

Ritwick Dutta

**ANITHA SHENOY**

Saurabh Sharma

**ADVOCATE FOR THE PETITIONERS**

Avinash Bhaskar

FILED ON: \_\_ July, 2010

**IN THE SUPREME COURT OF INDIA**  
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**AFFIDAVIT**

I, MS. BELINDA WRIGHT, Daughter of \_\_\_\_\_, Resident of \_\_\_\_\_, do hereby solemnly affirm and state on oath as follows:

1. That I am the \_\_\_\_\_ of the Applicant/intervener No.2 in the accompanying Application. I state that I am conversant with the facts and circumstances of the present case and as such I am competent to swear to this affidavit. I say that I have read and understood a copy of the accompanying Intervention Application prepared by our Advocate under instructions received from us and I say with reference thereto as under :
2. That what is stated in the paras \_\_ to \_\_ of the accompanying Application is true to my knowledge based on the records of the case and I believe the same to be true.
4. That the Applicants have not filed any other petition in this Hon'ble Court for intervention in the present case.

**DEPONENT**

