

CWP-PIL-93-2023 (O&M) and other connected cases

COURT ON ITS OWN MOTION V/S STATE OF PUNJAB AND ORS

Present:- Ms. Tanu Bedi, Advocate as *Amicus Curiae* and
Ms. Palak Singla, Advocate.

Mr. Satyapal Jain, Additional Solicitor General of India with
Mr. Arun Gosain, Senior Govt. Counsel for the respondent/UOI.

Mr. Prabodh Kumar, Special Director General of Police,
PSHRC-cum-Head of the SIT. (through video conferencing).

Mr. Arun Pal Singh, ADGP (Prisons), Punjab
(through video conferencing).

Mr. ADS Sukhija, Addl. A.G., Punjab.

Mr. Ashish Yadav, Addl. A.G., Haryana.

Mr. Munish Bansal, Public Prosecutor, UT, Chandigarh and
Mr. Rajiv Vij, Additional Public Prosecutor for UT, Chandigarh.

Mr. Hitesh Verma, Advocate and
Mr. Vishwajeet Singh, Advocate for the applicant
in CM-85-CWPIL-2023.

Mr. Prabodh Kumar, Special Director General of Police, Punjab State Human Rights Commission-cum-Head of the SIT, has filed an affidavit with regard to the completion of investigation in FIR No.1 dated 05.01.2024, registered at Police Station State Crime, Punjab SAS Nagar. It is stated in the affidavit that the police report under Section 173 Cr.P.C. (now BNSS, 2023) has been filed on 09.10.2024 in the Court of JMIC, District SAS Nagar. In the affidavit, a self-contained note has been annexed as Annexure R-1 indicating the misconduct, negligence and dereliction of duty by the concerned officers. The note has also been sent to the Administrative Secretary, Govt. of Punjab, Department of Home Affairs and Justice.

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We appreciate the commendable efforts made by the SIT headed by Mr. Prabodh Kumar, IPS in conducting the investigation as well as preparing the note pointing to the negligence and dereliction of duties of the officers.

Learned *Amicus Curiae* prays for time to examine the affidavit and to apprise this Court as to whether the report of the High Powered Committed set up by the State Govt. suffered from lapses which were deliberate or intentional in not taking the matter to its logical conclusion.

Learned State counsel submits that they have received a self-contained note (Annexure R-1) and has assured the Court that appropriate action has been initiated against delinquent officials and prays for sometime to file an affidavit in that regard.

Mr. Arun Pal Singh, ADGP (Prisons), Punjab, while appearing through video conferencing, submits that several steps have been taken towards installation of V-Kavach jammers and prays for time to file an affidavit in this regard.

List on 28.10.2024.

A photocopy of this order be placed on the file of connected case.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

October 15, 2024
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