

Date- 10.07.2020

To,  
The Hon'ble Chief Justice,  
High Court of Judicature at Allahabad,  
Allahabad- 211001.

**In re: Representation requesting Your Lordship to take cognizance and direct a Judicial Probe of the "Extra-Judicial Killing" of gangster criminal "Vikas Dubey" by Uttar Pradesh Police on 10.07.2020.**

My Lord/Respected Sir,

As the officers of this Hon'ble Court, we the undersigned advocates wish to draw your kind attention towards the 'Extra-Judicial Killing' of gangster and criminal, namely, Vikas Dubey, by Uttar Pradesh Police, which took place earlier this morning on 10.07.2020.

We are extremely aghast and appalled by the sorry state of affairs taking place in the State of Uttar Pradesh at present. We do not dispute that fact that Vikas Dubey was a dreaded criminal and bane on the society having about 60 criminal cases pending against him, and we further do not wish to comment upon his alleged involvement in the incident which took place on 03.07.2020, wherein, 8 brave police personnel were martyred. However, the extra-judicial murder/killing of the aforesaid criminal has completely traumatised the faith of common man in the Rule of Law.

As per the media reports floating since yesterday, it came into light that the aforesaid criminal had surrendered himself before or was apprehended by the Madhya Pradesh Police at Ujjain, Madhya Pradesh and was immediately taken into their custody after which he was transferred in to the custody of Uttar Pradesh police, who were supposed to bring him back to Uttar Pradesh and initiate just and fair criminal proceeding/investigation.

However, according to the reported version as given by the U.P. Police, while they were on their way to bring the aforesaid criminal back to Kanpur, Uttar Pradesh, media reports floated that one of the cars in their convoy got overturned in suspicious circumstances and later it was declared that criminal

Vikas Dubey has been killed in an Encounter since he was trying to escape the custody of the U.P. Police.

The aforesaid version as given by the U.P. police appears to be fictional and rather plagiarised from some Bollywood Movie script. It is highly unlikely and improbable that a criminal being in custody of numerous S.I.T. officials and in their tight classified security will try to escape himself while on their way to Kanpur, Uttar Pradesh. Even as per the live coverage of various news channels, the place of occurrence of the entire incident was a Highway and the roads were perfectly in good condition, which makes it questionable as to how a vehicle can overturn in such a fashion without an involvement of any third party or force, or as to how any sane person will try to make a daring and reckless attempt to flee from the custody of the police on an open Highway having no substantial place of cover/hideout in the vicinity and also to how he imposed a substantial threat to the Police personnel.

Such an unfortunate incident is a glaring example when the Police tries to assume and usurp the powers and functions of a Court of Law established under the Constitution of India by executing a criminal in extra-judicial fashion, without proper investigation and without affording him a just and fair opportunity of trial before a Court of Law. It further sends an unfortunate and horrifying message about how fractured and anaemic the Judicial system is, which will result in common man losing his faith and trust in Indian judicial system and valued principles of rule of law as is promulgated by the Constitution of India.

There is no gainsaying that, if such an incident goes unchecked judicially and will be treated as an act of valour and bravery by police officials, then it might become an unwanted societal norm and will set precedent for subsequent cases of similar nature which will further tarnish the image of India as a "Police State" which is completely contradictory to the values of Indian Constitution which annunciates India to be a "Welfare State". Needless to say, that, such extra-judicial killings should not be celebrated and a spirit of vengeance should not be allowed to control the sentiments of any state machinery.

It is hereby further stated that, registration of an F.I.R. and an enquiry at magisterial level is mandated by the Hon'ble Apex Court judgment in the case of **PUCL v. State of Maharashtra** (2014 10 SCC 635), however, given the

gravity and magnitude of the present incident it is imperative that this Hon'ble Court must take immediate cognizance of this incident and a Judicial Probe under the supervision of sitting judge of this Hon'ble Court must be ordered in order to ascertain the correct facts of the extra-judicial killing of criminal Vikas Dubey so that the faith of citizens in the Indian Judicial System is reaffirmed and restored.

Therefore, in light of above-mentioned facts and circumstances, it is imperative in the interest of Justice and fairness that this Hon'ble Court may take cognizance in the "Extra-Judicial Killing" of gangster criminal "Vikas Dubey" by Uttar Pradesh Police on 10.07.2020 and a Judicial Probe under the supervision of a sitting Judge of this Hon'ble Court must be ordered in the same; further this letter may also be treated as petition; for which act of kindness the undersigned shall be forever be duty-bound and obliged.

With profound regards,

Yours Sincerely,



**Bhavya Sahai**, Advocate



**Devesh Saxena**, Advocate