

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p><u>WPCRL No.1613 of 2023</u>  <b><u>Hon'ble Ravindra Maithani, J.</u></b>  Mr. Aditya Purohit, Advocate for the petitioners.</p> <p>Mr. K.S. Bora, D.A.G. assisted by Ms. Manisha Rana Singh, A.G.A. for the State.</p> <p>Mr. Abhijay Negi, Advocate for the respondent no.6/ State Human Rights Commission.</p> <p>Heard learned counsel for the parties and perused the record.</p> <p>It is the case of alleged gross misuse of power, atrocities, torture by police in police custody, manipulation of records, lodging of false FIR, dereliction of duties, humiliations and many other related issues. The petitioners seek investigation into the matter by CBI and action against the erring officers.</p> <p>Fortunately, the petitioners could get the CCTV footages of the police station, which speak loudly the miserable conditions, in which the police force had worked at Mahila Thana, NTD, Almora, in the presence of Senior Police Officers of District Almora. Some of the transcripts have been enclosed by the petitioners.</p> <p>It is the allegations that not only the petitioners were abused, humiliated, but they were beaten up in the police custody. The case was manipulated.</p> <p>The respondent no.20, the informant, had lodged FIR No.3 of 2023, under Sections 498-A, 504, 506 and Section 3/4 of the Dowry Prohibition Act, 1961, at Mahila Thana, Almora,, against the petitioner no.1.</p>

The respondent no.12 lodged another FIR No.7 of 2023, under sections 332, 353, 354 and 186 IPC, against the petitioner no.1 with the averments that with regard to FIR No.3 of 2023, lodged by the respondent no.20 against the petitioner no.1, when she visited the house of the petitioners on 17.04.2023, she was obstructed in discharge of her duties and the documents were damaged by the petitioner no.1.

It is the case of the petitioners that the entire incident has been videographed by him at their residence, in the bedroom, where in civil dress, without giving any introduction, the police intruded and misbehaved with the petitioners.

The petitioners, it appears, have knocked every door to get redressal of the alleged wrong doings by the police.

Not only this, it is further the case of the petitioners that when they were arrested by the police unlawfully, remand taken, they visited District Hospital, Almora, but the Medical Officer on duty, did not examine the petitioner no.1 and did not prepare any medical certificate.

Has it been done under the pressure of the police?

Learned counsel for the petitioners would submit that the petitioners have taken the CCTV footages under the Right to Information Act, 2005. They have requested the Senior Police Officers to preserve the CCTV footages.

The petitioners gave complaint to the Senior Superintendent of Police, Almora, Director General of Police, District Magistrate and on other Government Portals as well.

It is further the case of the petitioners

that a complaint given on a grievance portal was enquired by the respondent no.11, who herself is a wrong doer and she had given clean chit in the matter (Annexure No.45). The petitioners have also written to the Uttarakhand Human Rights Commission.

The Uttarakhand Human Rights Commission is represented before the Court. The Court wanted to know as to whether the CCTV footages have been preserved? He would submit that the matter is to be heard on 04.01.2024.

List this matter at 2:00 PM.

Learned State Counsel shall get instructions from the Director General of Police as to what action has been taken by the police in such a serious matter, and if no action has yet been taken, why? Why based on such gross material, in terms of CCTV footages of the Police Station, a full-fledged enquiry was not conducted? Why FIR was not lodged against the erring officers/officials, including the Senior Police Officers, who allegedly told that the petitioners should not be released, their hands and feet should not be untied?

The CCTV footages of Mahila Thana, NDP, Police Station Almora, of 17.04.2023, shall be preserved until further orders of this Court.

Let a copy of this order be immediately sent to the Director General of Police, Uttarakhand, at Dehradun, Deputy Inspector General of Police, Kumaon Range, Nainital through e-mail/fax.

The Court also requests learned State Counsel to ensure compliance and at 2:00 PM assist the Court as to what course of action is to be adopted in the matter.

**(Ravindra Maithani J.)**

21.12.2023

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