

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION (CIVIL) NO(s). 139 OF 2013

IN RE: "PUNJAB COPS BEAT UP WOMAN IN PUBLIC" AND "POLICE LATHI-CHARGE
PROTESTING CONTRACTUAL TEACHERS IN PATNA" PUBLISHED IN VARIOUS NEWSPAPERS
OF THE COUNTRY DATED 5.3.2013 & 6.3.2013

Date: 04/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH

Amicus Curiae(s) Mr. G.E.Vahanvati, AG

Mr. Anoopam N. Prasad, Adv.
Mr. Nizam Pasha, Adv.
Ms. Jasa Narula, Adv.
Mr. Asandh Kannan, Adv.

Mr. Harish N.Salve, Sr.Adv.

In person Shri Prakash Singh, former DGP, Uttar Pradesh

For State of Punjab Mr. Siddharth Luthra, ASG
Mr. Ajay Bansal, AAG
Mr. Kuldeep Singh, Adv.
Ms. Devina Sehgal, Adv.
Mr. Gaurav Yadav, Adv.

For State of Bihar Mr. L.N. Rao, Sr. Adv.
Mr. Abhinav Mukherji, Adv.
Mr. Angad Kochhar, Adv.

For UOI Mr. Gourab Banerji, ASG
Mr. S.A. Haseeb, Adv.
Mr. Sahil Tagotra, Adv.

For NCT of Delhi Mr. S.W.A. Qadri, Adv.
Mr. Satya Siddiqui, Adv.
Mr. S.K. Mishra, Adv.
Mr. J. A. Khan, Adv.

for State of Rajasthan Mr. Jasbir Singh Malik, AAG

for State of Himachal Pradesh Ms. Suryanaryana Singh, AAG
Ms. Pragati Neekhra, AOR

For State of M.P. Mr. Ravindra Shrivastava, Sr. Adv.
and Chhatisgarh Mr. C.D. Singh, Adv.
Mr. Apurav Kurup, Adv.
Mr. Sunny Choudhary, Adv.
Mr. Anshuman Shrivastava, Adv.

For State of Jharkhand Mr. Tapesk Kumar Singh, Adv.

for State of Haryana Mr. Manjit Singh, AAG
Ms. Vivekta Singh, Adv.
Mr. Tarjit Singh, Adv.

Mr. Anil Antil, Adv.

For State of
Tamil Nadu Mr. Subramonium Prasad, AAG
Mr. B. Balaji, Adv.
Mr. R.Rakesh sharma, Adv.
Mr. T.M.Mahendran, Adv.

For State of J&K Mr. Sunil Fernanes, Adv.
Ms. Astha Sharma, Adv.
Ms. Insha Mir, Adv.
Ms. Renu Gupta, Adv.

for State of
Maharashtra Mr. Arun R. Pedneker, Adv.
Mr. Sanjay V. Kharde, Adv.

for State of
Manipur Mr. KH Nobin Singh, Adv.

For State of
Arunachal Pradesh Mr. Rituraj Biswas, Adv.
Mr. Anil Shrivastav, AOR

For State of Assam Mr. Riku Sarma, Adv.
Mr. Navnit Kumar, Adv.

for State of Sikkim Mrs. Aruna Mathur, Adv.
Mr. Yusuf Khan, Adv.
Ms. Movita, Adv.

for State of Kerala Mr. C.S. Rajan, Sr. Adv.
Mr. M.T. George, Adv.
Ms. Kavitha K.T., Adv.

for State of
Meghalya Mr. Subhro Sanyal, Adv.
Mr. Ranjan Mukherjee, Adv.

for State of
Karnataka Mr. V.N. Raghupathy, Adv.
Mr. Lagnesh Mishra, Adv.

for State of UP Mr. Gaurav Bhatia, AAG
Mr. Anuvrat Sharma, Adv.
Mr. Piyush Vashistha, Adv.
Ms. Hemantika Wahi, Adv.

for State of
Gujarat

for State of
Uttarakhand Mr. Ashutosh Kr. Sharma, Adv.
Mr. J.K. Bhatia, AOR

for State of AP Mr. G.N. Reddy, Adv.
Mr. Debojit, Adv.
Mr. Sodman Babu, Adv.

for State of WB Mr. Avijit Bhattacharjee, Adv.
Mr. Bikas Kargupta, Adv.
Mrs. Sarbani Kar, Adv.

for UT of
Chandigarh Mr. Ashok Kumar Thakur, Adv.
Mr. Imran K. Burney, Adv.
Mr. Anil K. chopra, AOR

for UT of
Puducherry Mr. V.G. Pragasam, Adv.
Mr. S.J.Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.
Ms. Supriya Garg, Adv.
Ms. Neelam Singh, Adv.
Mr. Shodhan Babu, Adv.

for State of
Orissa Mr. Radha Shyam Jena, Adv.

Ms. K.Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.

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

We have heard Shri G.E. Vahanvati, learned Attorney General for India, Shri Harish Salve, learned senior counsel appearing as amicus, Shri Siddharth Luthra, learned Additional Solicitor General appearing for State of Punjab, Shri L.N.Rao, learned senior counsel appearing for State of Bihar and perused the affidavits.

The report submitted by District Magistrate, Taran Taran on the incident which took place on 03.03.2013 at Taran Taran is rejected because it is thoroughly misleading apart from containing factually incorrect statement of facts. We are also of the opinion that the State of Punjab has not taken corrective measures and no efforts has been made to remedy the grievance of poor victims of police atrocity.

Shri L.N. Rao, learned senior counsel representing the State of Bihar says that the action taken by the police against the innocent unarmed ladies is indefensible.

The learned Attorney General and Shri Salve made some important suggestions which need detailed consideration.

Shri Prakash Singh, former Director General of Police, Uttar Pradesh has handed over an additional note.

For consideration of the issues arising out of suo motu cognizance taken by the Court and point no.2 formulated by Shri Salve in the related case, the matter is adjourned to 11.04.2013.

The question of liability of senior police officers as also the State Government will be considered on the next date of hearing.

The Home Secretary, Union Territory of Chandigarh is directed to ensure that adequate security is provided to the victims and witnesses of the violence which took place on 03.03.2013 in the outskirts of Taran Taran. He shall also ensure that the security shall be of personnel other than Punjab police or any similar organization.

A copy of this order be sent to the Home Secretary, Union Territory of Chandigarh by fax.

(Parveen Kr. Chawla)
Court Master

(Phoolan Wati Arora)
Court Master