



\$~14

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 15569/2024**

SACHIN KUMAR VERMA

.....Petitioner

Through: Mr. Harpreet Singh Nagpal, Mr.
Pritpal Singh Chawla and Mr. Gaurav
Kumar, Advocates with Petitioner in
person.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Kirtiman Singh, CGSC with Mr.
Maulik Khurana, Mr. Ranjeev
Khatana and Mr. Varun Pratap,
Advocates for UOI and Delhi Police.
Mr. Madhurendra, Insp. with
Mr. Satish Kumar, SI, PS-Bara Hindu
Rao.
Mr. Harsh Kumar, SPC for UOI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.11.2024

%

1. The Petitioner was embroiled in a property dispute which led to registration of FIR No. 59/05, in Bara Hindu Rao Police Station, Delhi, under sections 354, 506, 509, 34 of the Indian Penal Code, 1860 titled as 'State v. Naveen Jain & Ors.'
2. According to the Petitioner the case was a frivolous one. Nonetheless, the aforementioned offences were compounded with the permission of the Metropolitan Magistrate, Tiz Hazari Courts, Delhi on 31st August, 2008 and



accordingly, the Petitioner and the other accused named in the FIR were acquitted. From 2008 till 9th May, 2024, there has been no complaint against the Petitioner and he has never been called in connection with any investigation or enquiry by Respondent No. 3 (Station House Officer, PS Bara Hindu Roa). According to the Petitioner, on 10th May, 2024, at about 11:00 AM, two Assistant Sub-Inspectors of Respondent No.2 (the Commissioner of Police) and Respondent No.3, visited his house and informed him to report to Police Station Bara Hindu Rao, New Delhi at 1:00 PM for updating the record relating to FIR No. 59/2005. The Petitioner assured that he will reach there by 2:00 PM. The Petitioner reached the Police station at 2:00 PM and was told that all persons involved in heinous crimes have been called. Thereafter, in full public view, in presence of 100s of people from nearby locality, the Petitioner, along with more than 25 history sheeters, were allegedly made to walk about 500 metres or more, on Rani Jhansi Road, from Police Station Bara Hindu Rao till Sanatan Dharam Mandir/ Sabzi Market Chowk. The Petitioner asserts that he was made to walk within the circle formed by the police officials/ constables. The IT team of the police had allegedly placed their cameras at Sabzi Market Chowk, and they prepared, individual and group videos of all the persons, including the petitioner, walking from one point to other. While parading, the general public was also present on who made videos and clicked photographs of the parade. The Petitioner further asserts that he faced the wrath of the police and suffered extreme humiliation and harassment.

3. Subsequently, the father of the Petitioner filed application dated 7th June, 2024 under Right to Information Act, 2005 with the Public



Information Officer,¹ North District, Civil lines, Delhi, seeking reasons for calling the Petitioner to PS, Bara Hindu Rao. In reply to the query, the RTI applicant has been informed that the Petitioner was called for “routine work of old criminal verification”, and also provided a copy of the dossier of the Petitioner. As for the RTI query whether the Petitioner was declared as B.C (person of bad character), it was informed that “no B.C. record found in PS Bara Hindu Rao” against the Petitioner. Even in the dossier of the Petitioner, it has been specifically mentioned that the Petitioner is not designated as “Bad Character”.

4. The Petitioner, aggrieved by the humiliation faced by him owing to the alleged parade noted above, has filed the instant petition. Although the Petitioner has sought several reliefs, including disciplinary action against the concerned delinquent officers, after hearing the parties for some time, counsel for the Petitioner very fairly states that the primary concern of the Petitioner is to ensure that he is not met with such humiliating experience again in the future. To this effect, the Petitioner requests that the records of Respondent No.2 and 3 be updated to accurately reflect the current status of the case related to FIR No. 59/05.

5. Mr. Kirtiman Singh, counsel representing Union of India and Delhi Police, also without going into any of the allegations made, states on instructions, that the Respondents’ officers would assure that their conduct would not cause any further harassment to the Petitioner in respect of the FIR in question. Mr. Singh further states that the Petitioner’s record and dossier have already been updated and the Petitioner was called to the station as a routine measure to ensure the records are current, with no

¹ “PIO”



intention of taking any criminal action against the Petitioner. Mr. Madhurendra, Inspector, who is present in person also extends the similar assurances to the Court.

6. The Court has heard both the counsel for the Parties. This Court takes serious view of the allegations made in the present Petition. It is important to note that FIR No. 59/05 was filed in 2005, and it is after nearly 9 years that the Petitioner was called to the police station for the purpose of updating the records. The police officers present in the Court have been unable to provide a satisfactory explanation for calling the Petitioner to the station after such a long period of time. It is a well-established fact that involvement in criminal proceedings, regardless of guilt or outcome, carries certain stigma and can cause humiliation to the individuals involved, often affecting their reputation, social standing and emotional well-being. The police, as the custodians of law and order, are entrusted with a duty to protect the personal liberties of citizens. The Right to Liberty and the Right to Live with Dignity are fundamental rights enshrined in Article 21 of the Constitution, 1950 and these rights must be upheld with the utmost seriousness and respect. Police officials must exercise great care and discretion in matters that involve citizens' personal freedoms. Routine procedures, such as updating police records, should be handled with due sensitivity and respect for the individuals involved. In such matters, the police should not act in a casual or indifferent manner, but instead should ensure that their actions are justified, timely, and do not unnecessarily encroach upon the personal liberty or dignity of individuals.

7. In view of the above, the limited prayer pressed by the Petitioner and the assurances made by Mr. Kirtiman Singh, the present petition is disposed



of with a direction to Respondent No.2 to sensitize the concerned police officials regarding the proper procedure to be followed during such routine actions. Further, the statements made by Mr. Kirtiman Singh and Inspector Madhurendra, noted in paragraph no. 5 of this order, are taken on record and Respondents No.2 and 3 are held to be bound by the same. Respondent No.2 shall also ensure that the Petitioner is not subject to any further incidents of similar nature at the hands of their officers in relation to the FIR No. 59/05.

8. Disposed of along with pending applications.

SANJEEV NARULA, J

NOVEMBER 25, 2024

nk