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

\# **CNR No. DLHC010100832023**

\+ W.P.(CRL) 839/2023 & CRL.M.A. 7666/2023

VIKASH LAKRA .....Petitioner

Through: Mr. Rajesh Baweja and Mr. Sandeep Chaudhary, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC with Ms. Pavitra Dixit, Mr. Alok Sharma, Ms. Sonia Malhotra, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 29.10.2026

1. By this petition under Articles 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"], the Petitioner seeks removal of his name from Surveillance Register No. 10 maintained at P.S. Mundka, Delhi, and quashing of the proceedings, if any, arising therefrom.

2. The Deputy Commissioner of Police, Outer District, had, *vide* order dated 6th January, 2021, directed that the Petitioner's name be entered in the said register and that a History Sheet be maintained in Bundle 'A', following his alleged involvement in three criminal cases registered in 2020.

3. The position has since changed. In FIR No. 586/2020, registered

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under Sections 392/411/34 IPC, the Petitioner was acquitted by judgment dated 1st September, 2025. The other two cases, e-FIR Nos. 59/2020 and 286/2020, involving the offence under Section 411 IPC, also ended in acquittal upon compounding of the offences *vide* orders dated 2nd December, 2021 and 8th October, 2023, respectively.

4. In its Status Report dated 18th March, 2026, the State acknowledges these developments and records that the Petitioner has remained inactive since 2020. Although the report refers to preventive action taken against him under Sections 107/151 CrPC *vide* DD No. 11A dated 23rd March, 2021, it discloses no subsequent involvement in any criminal case. The State further informs the Court that, upon an annual review conducted on 14th March, 2026, the competent authority downgraded the Petitioner's name from Bundle 'A' to Bundle 'B'. In its accompanying brief note, the State acknowledges that such classification is subject to periodic review and that a person's name may be removed from the Surveillance Register *inter alia* where there has been prolonged non-involvement in criminal activity.

5. Rules 23.4 and 23.5 of the Punjab Police Rules, 1934 govern entries in the Surveillance Register. The Supreme Court, in ***Dhanji Ram Sharma v. Superintendent of Police***[1], affirmed that a person's conviction is not a prerequisite for such an entry. However, the belief that the person is a habitual offender, for the purpose of Rule 23.4(3)(b), must be based on reasonable grounds. The Court further emphasised that the powers must be exercised with caution and in strict conformity with the Rules. In ***Malak Singh & Ors. v. State of P&H & Ors.***[2], the Supreme Court held that

[1] AIR 1966 SC 1766.
[2] (1981) 1 SCC 420.

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surveillance has to be unobtrusive and must not obstruct the free exercise and enjoyment of fundamental freedoms or intrude upon the dignity of an individual. This Court, in ***Sarjeet Singh v. Commissioner of Police & Ors.***[3], while considering the aspect of periodic review of History Sheets maintained in Bundles 'A' and 'B', emphasised that the Deputy Commissioner of Police must record reasons for keeping a person's name in the Surveillance Register. The Court further held that the person concerned may approach the concerned authority for deletion of his name from the Surveillance Register by showing improvement in his conduct. It observed that such periodic review should preferably take place every six months.

6. The Brief Note dated 18th March, 2026 filed by the State indicates that the classification of History Sheets into Bundles 'A', 'B' and 'C' is an internal administrative arrangement which regulates the degree of supervision exercised over the persons concerned. Under this arrangement, placement in Bundle 'A' entails a higher degree of surveillance, while downgrading to Bundle 'B' reflects a reduced level of supervision in view of the person's subsequent conduct and the absence of recent criminal activity.

7. The Status Report indicates that, upon an annual review conducted on 14th March, 2026, the Petitioner's History Sheet was downgraded from Bundle 'A' to Bundle 'B'. However, this downgrading does not, by itself, establish whether the Petitioner's name continues to remain in Surveillance Register No. 10 or whether the necessity of retaining it has been independently considered. The three cases which formed the basis for the original entry pertain to the year 2020. The Petitioner stands acquitted in all three, and the State itself records that he has remained inactive since 2020.

[3] 2002 (62) DRJ 644 (DB).

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These circumstances warrant a fresh assessment of whether the continued inclusion of his name in the Surveillance Register, and the maintenance of his History Sheet remain justified.

8. Accordingly, the concerned Deputy Commissioner of Police is directed to undertake a fresh review of the Petitioner's case within six weeks from today. The authority shall consider the outcome of all three criminal cases, the Petitioner's subsequent conduct, the available police record and any other relevant material. The review shall specifically ascertain whether the Petitioner's name continues to remain in the Surveillance Register and, if so, whether its retention remains justified. The authority shall also examine whether the continued maintenance of the corresponding History Sheet is warranted or whether it ought to be transferred to the Petitioner's personal file in terms of Rule 23.12 of the Punjab Police Rules, 1934. The Petitioner may submit a representation, along with supporting documents, within two weeks from today. The competent authority shall pass a reasoned decision and communicate the outcome to the Petitioner, without disclosing any confidential police information.

9. In the event the Petitioner's name continues to remain in the Surveillance Register, the competent authority shall ensure periodic review of the decision to retain it, preferably at intervals of six months, in accordance with the principles recognised in *Sarjeet Singh*. Any surveillance undertaken in the meantime shall remain strictly within the limits prescribed under Rule 23.7 of the Punjab Police Rules, 1934, and shall not occasion unwarranted interference with the Petitioner's liberty or lawful activities.

10. The petition stands disposed of in the above terms. In the event the Petitioner is aggrieved by the decision taken upon review, he shall be at

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liberty to take appropriate remedies in accordance with law.

SANJEEV NARULA, J

OCTOBER 29, 2026

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