

Kamla Devi vs. State of Punjab and others;

**Satyawan vs. State of Haryana and others
and**

Kaushal vs. State of Haryana and others

Present: Mr. Amandeep Singh Jawanda, Advocate
for the petitioner (in CRWP No.5521 of 2021).

Mr. Sourabh Goel, Advocate
for the petitioner (in CRWP No.6437 of 2021).

Mr. Bipin Ghai, Senior Advocate with
Mr. Prabhdeep Singh Bindra, Advocate and
Mr. Rishabh Singla, Advocate
for the petitioner (in CRM-M No.43672 of 2021).

Mr. Deepak Sabherwal, Addl. A.G., Haryana and
Mr. Neeraj Poswal, AAG, Haryana.

Mr. P.S. Bajwa, Addl. A.G., Punjab and
Mr. Manreet Singh Nagra, A.A.G., Punjab.

Mr. Rajeev Anand, Addl. PP, UT, Chandigarh.

Case heard via video conferencing.

CRWP No.5521 of 2021

CRWP No.6437 of 2021

As regards the larger issue of installation of CCTV cameras in all police posts in the States of Punjab and Haryana and in all police stations and police posts of the UT, Chandigarh, learned counsel for the State of Haryana submits that though the State would otherwise be bound to install all such CCTV cameras in police posts by 01.04.2022, however due to the fresh outbreak of the pandemic, there may be some delay .

Mr. P.S. Bajwa, learned Additional A.G., Punjab submits on the basis of the affidavit of the Principal Secretary to the Government of Punjab, Department of Home Affairs and Justice, dated 28.01.2022, that

CCTV cameras would be duly installed in all police posts of the State of Punjab by 10.05.2022.

Mr. Rajeev Anand, learned Additional P.P., UT, Chandigarh, submits that all police stations and police posts in the UT, Chandigarh already stand equipped with cameras but upgradation of the same in terms of the order of the Supreme Court in *Paramvir Singh Saini's* case, would take about 05 months, but the UT is seeking 01 months 'buffer' in that regard.

It is first to be noticed that along with the affidavit filed on behalf of the State of Punjab, an order of the Supreme Court, dated 02.03.2021, has been annexed, passed in **SLP (Criminal) No.3543 of 2020, *Paramvir Singh Saini vs. Baljit Singh and others***, in which it is stated that as regards the State of Haryana, at that stage (02.03.2021), it had sought a time-line of 1½ years; but with the State directed to allocate funds for the purpose mentioned in the earlier orders passed by the Apex Court within a period of four weeks from 02.03.2021 (which would be by 30.03.2021).

As regards the State of Punjab, it is observed by their lordships that though cameras have been installed in all police stations since 2018, however they are not in conformity with the directions of the Apex Court and consequently, budgetary allocation was directed to be made within one month from that date and with the orders to be conformed with, within four months after the budgetary allocation, i.e. within five months from 02.03.2021, (which would be 01.08.2021).

As regards the UT, Chandigarh, it is stated in the said order of the Supreme Court that funds would be allocated for that purpose

within four weeks from 02.03.2021 (i.e. by 30.03.2021) and the time-line for compliance would be within a period of four months after the period of budgetary allocation, i.e. again within five months of 02.03.2021 (by 01.08.2021).

All learned counsel appearing would place on record any orders passed by the Supreme Court in *Paramvir Singh Saini's case* after 02.03.2021.

CRM-M No.43672 of 2021

As regards the allegations made by the petitioner (as have been recorded in extenso in previous orders passed by this Court), Mr. Sabherwal has filed in a sealed cover, an unsigned document showing the criminal activities of the petitioner herein.

It is to be noticed by this Court that obviously with the petitioner stated to be a wanted criminal in different states across the country, the seriousness of the crime that he has committed/allegedly has committed, is not lost on any Court in any manner whatsoever.

However, as observed in the earlier order passed directing that CCTV cameras be installed in interrogation rooms also, (with reference to the Supreme Court order in that regard earlier that CCTV cameras should be installed in all parts of police stations other than inside toilets), it had been observed by this Court that the uphill task faced by investigating agencies/police is not lost on any Court and in fact the extreme efforts they make to apprehend criminals, especially hardened criminals, is to be not just appreciated, but society needs to be grateful to them for that; yet, the rule of law as established, needs to be followed as is done all over the world in any civilized country, rather than shortcuts

being taken in methods of apprehension and interrogation.

To repeat from the last order, we are the 5th or the 6th largest economy in the world and therefore the excuse of us not being as advanced as other countries is no longer available to us, unless we choose not to follow a more civilized method of apprehension and investigation.

The Director General of Police, Punjab, has also filed another affidavit dated 08.02.2022 in this case, from which Mr. Manreet Singh Nagra, learned A.A.G., Punjab, points to the table contained in paragraph No.9, in which the time frame for the revised tendering schedule has been given, between 28.01.2022 and 10.03.2022, the latter being the date on which the contract would be allotted, after which the work would be completed by 10.05.2022 (as also stated by the Principal Secretary to the Government of Punjab, Department of Home Affairs and Justice, in his affidavit).

Adjourned to 21.02.2022.

To be shown in the urgent motion list.

A copy of the order be placed on the file of other connected case.

(AMOL RATTAN SINGH)
JUDGE

09.02.2022
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