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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
MCRC No. 22800 of 2022**

(KULDEEP DOHARE Vs THE STATE OF MADHYA PRADESH)

Dated : 30-06-2022

Shri Palendra Dangi - Counsel for applicant.

Shri Rajeev Upadhyay - Counsel for State.

In compliance of order dated 20.06.2022, an affidavit of Superintendent of Police, District Bhind has been filed in which it has been mentioned that the then SHO Pramod Sahu, ASI Mahendra Singh Ucchadiya, Constable Narendra Shakya were found guilty of misconduct by not sending the criminal antecedents of the accused. It was found that ASI Mahendra Ucchadiya was the Investigating Officer who had placed the diary before the SHO. Thus, the misconduct has been committed by Mahendra Ucchadiya, and accordingly, a fine of Rs.5,000/- has been imposed. So far as Pramod Sahu is concerned, he also did not verify the case diary before signing the same, therefore, a fine of Rs. 2000/- has been imposed.

In the present case, the police authorities did not send the criminal antecedents of the applicant, therefore, it is clear that it is a clear attempt to facilitate the applicant to obtain bail by projecting that he has no criminal antecedents.

Whether this conduct of police officers can be said to be a minor negligence or it is an interference with the criminal justice dispensation system ?

This Court is frequently finding that the Police Authorities are not sending the complete criminal antecedents, in-spite of the circular issued by Police Headquarters. Even the status of most of the criminal cases are not being sent.

Since this situation is prevailing in different police stations, therefore, the

DGP, State of M.P., is directed to file an affidavit as to whether non-communication of criminal antecedents of an applicant is a minor misconduct or it amounts to interfere with the criminal justice dispensation system.

The affidavit be filed within a period of one week.

List this case on **08.07.2022**.

Let a copy of this order be given to the State counsel for communicating the same to Superintendent of Police Bhind so that he can communicate the same to the Director General of Police.

(G.S. AHLUWALIA)
JUDGE

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