

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 9843/2024

[Arising out of impugned final judgment and order dated 21-09-2023 in HCWP No. 297/2023 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

STATE OF U.P.

Petitioner(s)

VERSUS

RAMADHAR KASHYAP (MINOR) THRU. BROTHER DIVYANSHU &
ORS.Respondent(s)

IA No. 37759/2024 - EXEMPTION FROM FILING O.T.

Date : 08-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) :

Ms. Ruchira Goel, AOR
Mr. Sharanya, Adv.

For Respondent(s) :

Mr. Brijender Chahar, A.S.G.
Ms. Seema Bengani, Adv.
Mr. A.k.kaul, Adv.
Mr. Mrigank Pathak, Adv.
Ms. Neelakshi Bhadauria, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Arvind Kumar Sharma, AOR

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

1. On 19.02.2024, this Court made the following order:-

1. Learned counsel for the petitioner-State states that the petitioner is aggrieved only with the direction given by the High Court to the Director General of Police, Lucknow, Uttar Pradesh to issue a

circular directing the Station House Officers/Incharge of all Police Stations in the State to get medical examination done of any person who has been brought or called at the police station only for investigation/inquiry.

2. The medical examination was directed to be conducted at the time of release.

3. We find that the direction was issued in order to put up a check on custodial violence on the person's brought to the police station.

4. We, therefore, do not find that any interference is warranted with regard to that.

5. However, Mrs. Garima Prasad, learned senior counsel/AAG appearing for the petitioner-State submitted that there can not be a omnibus direction of this nature and that certain guidelines are required to be framed in that regard.

6. We permit the respondent-State to prepare the Standard Operating Procedure for this purpose and place the same before this Court.

7. List this matter after eight weeks.

2. As is clear from para 5 thereof, the State was granted time to enable them to prepare a Standard Operating Procedure and place the same before the Court.

3. Further on 28.02.2025, the matter was taken up and the statement of the counsel for the State was recorded to the effect that the Standard Operating Procedure will be filed within one week from the said date.

4. We are today, i.e., on 08.12.2025.

5. Ms. Ruchira Goel, learned standing counsel for the State submits that the Committee has been constituted and that she will obtain complete instructions from friday. It is disappointing to

note that in spite of the fact that from the date of the first order, one year and approximately ten months have elapsed, the Standard Operating Procedure as undertaken by the State has not been filed.

4. The matter pertains to conducting medical examination of persons called to the Police Station at the time of their exiting the Police Station.

5. As noticed in the order of 19.02.2024, the direction was issued in order to have a check on custodial violence on persons brought to the Police Station. This Court noticing the seriousness of the matter accepted the contention of the State that instead of omnibus directions what is required is the framing of certain guidelines and permitted the State prepare a Standard Operating Procedure.

6. Further on 28.02.2025, the State undertook to file the Standard Operating Procedure within one week from 28.02.2025. Nothing has been done except forming Committees. We direct that the Standard Operating Procedure as undertaken be placed on record on or before 31.12.2025.

7. In case the Standard Operating Procedure is not filed, the Home Secretary of the State shall file an affidavit setting out as to why notwithstanding the repeated undertaking given to this Court, the Standard Operating Procedure has not been formulated.

8. List the matter on 05.01.2026.

(MOHD IBRAHIM)
SENIOR PERSONAL ASSISTANT

(MANOJ KUMAR)
BRANCH OFFICER