

ITEM NO.7

COURT NO.17

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Civil) No.20330/2023

[Arising out of the Impugned Final Judgment and Order dated 12-01-2023 in COCP No.2132/2022 passed by the High Court of Punjab & Haryana at Chandigarh]

VIJAY PAL YADAV

Petitioner

VERSUS

MAMTA SINGH AND ORS.

Respondent(s)

Date : 12-02-2025 This petition was taken up for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner Mr. Ravinder Kumar Yadav, AoR
 Mr. Vinay Mohan Sharma, Adv.
 Ms. Arti Anupriya, Adv.
 Mr. Kartikey, Adv.
 Mr. Paras Juneja, Adv.
 Mr. Amir Yad, Adv.
 Mr. Vineet Yadav, Adv.
 Ms. Kritika Yadav, Adv.

For Respondent(s) Mr. Akshay Amritanshu, AoR
 Mr. Arun Tewatia, Adv.
 Mr. Saurabh Sachdeva, Adv.
 Ms. Pragya Upadhyay, Adv.
 Ms. Drishti Saraf, Adv.

UPON hearing Counsel, the Court dictated the following
O R D E R

Tentatively, our view is that the respondents/State authorities are required to explain their conduct with regard to what action has been taken on account of the alleged blatant violations (as stated by the petitioner) of the directions given by this Court in *Arnesh Kumar v State of Bihar*, (2014) 8 SCC 273. Till date, the exact nature of the charges have not been supplied to the petitioner nor brought before any Court at any point of time.

2. Mr. Amritanshu, learned counsel for the respondents, submits that some action was taken by the State, as there was a direction to the concerned Superintendent of Police to initiate action. On a specific query as to what further transpired after such direction, he sought some time to obtain specific instructions in this regard from the authorities.

3. We do not find any valid ground for the State to drag its legs in an important issue where rights of a common citizen, especially relating to his liberty are involved. Once the Superintendent of Police was directed to initiate action, it would appear that even the higher authorities themselves found some substance in the petitioner's allegations. However, no action taken, if any actually, has been brought on record till date.

4. In this backdrop, we direct for the personal appearance of the Director General of Police, Haryana on the next date.

5. However, acceding to Mr. Amritanshu's request, if substantive action, stated to have been taken by the respondents, is brought on record by way of appropriate affidavit on/before 23.03.2025, the Director General of Police, Haryana shall not be required to personally appear on the next date.

6. We have not expressed any definitive opinion yet, but would like to examine what steps the State took at its own end.

7. List on 26.03.2025/Wednesday.

(SAPNA BISHT)
COURT MASTER (SH)

(MAMTA RANI)
COURT MASTER (NSH)