

COURT ON ITS OWN MOTION V/S STATE OF PUNJAB AND OTHERS

Present: Court on its own motion.

Mr. M.S. Bedi, Advocate General, Punjab with
Mr. Aftab Singh Khara, Senior DAG, Punjab &
Mr. Adeshwar Singh Pannu, AAG, Punjab.

Mr. Anant Kataria, DAG, Haryana.

Mr. Manish Bansal, Public Prosecutor, UT, Chandigarh and
Mr. Rajiv Vij, Addl. PP, UT, Chandigarh.

Mr. Dheeraj Jain, Standing counsel for UOI.

Ms. Tanu Bedi, Advocate (amicus curiae) assisted by
Mr. Pushp Jain, Advocate

Mr. Gourave Bhayyia Gilhotra, Advocate and
Mr. Hitesh Verma, Advocate
for the applicant in CM-85-CWPIL-2023.

Mr. Arun Gosain, Advocate and
Ms. Swati Arora, Advocate (Senior Govt. counsel) for UOI
in CWP-24232-2011.

Ms. Bhawna Garg, Principal Secretary, Jails, Punjab
Mr. Arun Pal Singh, ADGP, Jails (through VC)

Mr. Prabodh Kumar, IPS (Retd.) Head of the SIT,
Mr. Nageshwar Rao, ADGP, Provisioning
Mr. Nilabh Kishore, ADGP, STF (through VC)

Mr. Sanjay Kaushal, Senior Advocate with
Mr. Ankit Rana, Advocate for the applicant.

Learned State counsel submits that the Chief Secretary, Punjab could not be present today as he is attending a meeting at the Union Public Service Commission, New Delhi regarding the promotion of State Police Officers to the Indian Police Service. He had received the intimation in this regard only last evening and therefore, he could not prefer an application for

CWP-PIL-93-2023 (O&M) and connected cases

exemption himself and an affidavit has been filed on his behalf by another officer. He also submits that the requisition for recruitment to the posts of Assistant Superintendents, Wardens (500 posts) has been sent to the Punjab Subordinate Selection Board. The process for recruitment to the post of Deputy Superintendent, Jail which is to be conducted by the Punjab Public Service Commission is underway. Remaining personnel have been engaged from PESCO and the process would be completed by next month. There are also about 868+189 Punjab Police personnel and 180+280 personnel from CRP etc. who are being engaged. He also submits that the Prison Inmate Calling System has been augmented. Prior to the directions issued by this Court, the total number of Prison Inmate Calling System facility in place were 357. It has now been augmented to 800. The inmates are accorded 10 minutes for calling. This facility is adequate and is under-utilised at several jails.

Mrs. Bhawna Garg, Principal Secretary, Jails, Punjab is present through video conferencing and submits that the video conferencing facility (about 159) is in place in all the jails but it is not being adequately utilised for appearance of high risk prisoners before the trial Courts. We, therefore, direct the trial Courts within the State of Punjab to use this facility as much as possible especially in the case of high risk prisoners as it not only spares the police personnel who are to be put on security duty but save sizeable public expenditure.

Learned State counsel shall file an affidavit by way of status report by the next date of hearing.

By the order dated 07.08.2024, this Court had directed the Director General of Police, Punjab to file an affidavit setting out the number and details of registration of criminal cases relating to extortion calls, threatening calls, ransom calls and intimidation of witnesses in the State of Punjab w.e.f. March

CWP-PIL-93-2023 (O&M) and connected cases

2023 i.e. when the interview was broadcast, till December 2023, i.e., when the interviews were directed to be removed from the website/channel URLs (i.e. the intervening nine months), as we had expressed concern about the possibility of spurt in crime after the interview was telecast, as it glorified crime and had garnered millions of views. The affidavit had been filed by the Director General of Police and it had indicated an increase in crime after the telecast of the interview.

There appears to be further increase in crime in the recent past, especially relating to extortions, threatening/ransom calls, targeted killings etc. Therefore, we direct the Director General of Police, Punjab to file an affidavit with regard to the number and details of registration of the criminal cases relating to extortion, threatening calls, calls for ransom, target killings in the State of Punjab month wise w.e.f. 01.01.2024 till 15.07.2025. He shall file the affidavit by the next date of hearing. The affidavit shall also set out the steps being taken by the State of Punjab to prevent these crimes. We have been informed that the Single Bench of this Court in CRM-M-31019 of 2025 had issued several directions towards that end and the affidavit shall also indicate the compliance thereof.

Mr. Prabodh Kumar, IPS (Retd.) and Mr. Nageshwar Rao, ADGP, Provisioning have appeared through video conferencing. With the consent of the learned counsel for the parties, we deem it appropriate to include Mr. Dhruv Dahiya, IPS, A.I.G., Counter Intelligence as a member of the SIT headed by Mr. Prabodh Kumar, IPS (Retd.).

Mr. Prabodh Kumar submits that investigation is underway and the SIT shall be filing a status report within a period of one month from now. We reiterate that the SIT shall also examine the role of senior officers and ensure that lower level officials are not made scapegoat. It is difficult to believe that the

CWP-PIL-93-2023 (O&M) and connected cases

interview could have taken place without involvement of senior officers especially when the place of interview could be established only after the intervention of this Court.

We have been informed by the learned Amicus Curiae that proper infrastructure has not been provided to the SIT Head which is evident from the interruptions in the video proceedings in Court for want of proper and adequate Wi-Fi facility in the office provided to Mr. Prabodh Kumar, IPS (Retd.), Head of the SIT. Learned Advocate General, Punjab submits that adequate facilities and infrastructure would be provided to the Head of the SIT forthwith.

List on 18.08.2025.

Photocopy of this order be placed in the connected files.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

16.07.2025

SwarnjitS