

GAGANDEEP SINGH AND OTHERS VS STATE OF PUNJAB AND ORS

Present: - Mr. Navkiran Singh, Advocate,
for the petitioners.

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1. Petitioners, who are five in numbers, include 04 police officials, are aggrieved by the order dated 13.10.2025 (Annexure P-23) passed by the Punjab State & Chandigarh (UT) Human Rights Commission, Chandigarh, (for short 'the Human Rights Commission') issuing the following directions: -

'Hence, in view of above facts this Hon'ble Commission may recommend Commissioner of Police, Jalandhar, to register an FIR u/s 365, 342, 166, 34, 120-B IPC, against Inspector Gagandeep Singh Sekhon the then SHO, Police Station Division No. 3, Jalandhar, ASI Satnam Singh, ASI Makhan Singh, CT Gurpreet Singh and Harsimranjit Singh, in the interest of justice.

Concurring with the report of the DSP of this Commission, the Commissioner of Police, Jalandhar, is directed to take necessary action against Inspector Gagandeep Singh Sekhon, the then SHO, Police Station Division No. 3, Jalandhar, ASI Satnam Singh, ASI Makhan Singh, CT Gurpreet Singh and Harsimranjit Singh and submit the action taken report at least one week before the next date of hearing.'(emphasis supplied)

2. From the aforesaid, it is quite evident that the Human Rights Commission has travelled beyond its brief by issuing, directions and orders, to be complied with by the executive authorities, instead of recommending.

3. If the Scheme of the Protection of Human Rights Act 1993, (for short 'the Act of 1993') is seen, the same clearly reveals that the Human Rights Commission is merely a recommendatory body,

who, after completing the inquiry on a complaint filed, i.e. FIR No. 57 dated 03.07.2023 u/s 379-B, 295-A, 323, 120-B IPC, registered at Police Station Division No. 3, Jalandhar, (Annexure P-1), is authorized to make its recommendations to the State Government, who, in turn takes a final call as to whether to accept or not to accept the recommendations.

3.1 If the recommendations of the State Human Rights Commission are not accepted then Section 18(b) of the Act of 1993 empowers the Human Rights Commission to approach the High Court or the Supreme Court.

4. Notice of motion.

5. Mr. Vipin Pal Yadav, Addl. AG, Punjab, who is present in Court, accepts notice. He prays for and is granted time to seek instructions.

6. Meanwhile, the directions of the Human Rights Commission against all the petitioners shall remain stayed till the next date of hearing.

7. List on 13.01.2026.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

01.12.2025
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