

Gujarati Kelavani Mandal & Anr.	}	Petitioner
Versus		
The General Manager, Central Railway	}	
& Ors.	}	Respondents

Mr. Mihir Desai, Senior Advocate with
Mr. Rahul Sanghvi i/b. M/s. Sanjay Udeshi
& Co. for petitioner.

Mr. Vikrant Parshurami, AGP for
respondent no. 2.

Ms. Oorja Dhond i/b. Ms. Komal Punjabi
for respondent no. 3 (BMC).

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: DECEMBER 14, 2024

P.C.:

1. Heard Mr. Desai, learned senior advocate assisted by Mr. Rahul Sanghvi, learned counsel for the petitioner and Mr.Parshurami, learned AGP representing respondent no. 2 (Commissioner of Police).

2. Though this petition has been filed challenging the construction of the foot-over bridge, however, learned counsel for the petitioner, during the course of arguments on earlier occasions and today as well, emphasized upon the adequate

measures to be taken by the authorities including the police authorities to ensure safety and security of the girl students.

3. An additional affidavit has been filed by the Senior Police Inspector, Matunga Police Station on 15th October 2024 giving the details of the steps taken for ensuring the safety and security of the girl students. Paragraphs 5 and 9 to 13 of the said affidavit are relevant, which are reproduced hereunder: -

"5. The Respondent No.2 has in view there of facilitated 4 beat Marshalls and 4 beat Chowkis along with the Matunga Police Station namely,

- i. Swami Narayan Police Chowki (PI-1, API-2, PSI-4, HC-2 (Male-2), Constables-1 (Male-1)*
- ii. Matunga Bazar Police Chowki (PI-1, API-1, PSI-5, HC-3 (Male-3), Constables-0.*
- iii. Five Garden Police Chowki (PI-2, API-1, PSI-4, HC-2 (Male-2), Constables-1 (Male-1)*
- iv. Gavare Gav Police Chowki (PI-1, API-1, PSI-5, HC-2 (Male-2), Constables-1 (Male-1).*

specifically, to provide prompt and efficient response to its populace at the earliest and to maintain the peace and law and order situation in the area.

9. I say that the Matunga Police Station as well as the Respondent no.2 is committed to taking all measures to prevent crimes against Women and has time and again been taking various measures to prevent such crimes such as Surveillance on criminals, monitoring of Records, Beat patrolling, Mobile and foot patrolling, surprise checks (Naka Bandies), combing operations and raids, Participative policing at macro and micro level through Mohalla Committees (system of neighbourhood watch), Active involvement of NGOs, System of preventive action under the Criminal Procedure Code/Bhartiya Nagarik Suraksha Sanhita, Maharashtra Police Act, and other preventive Legislations. I say that, further special care is taken of juvenile offenders and atrocities against weaker sections, through specialized cells.

10. I say that the Beat Marshalls and Mobile Vans have been assigned different zones and areas for patrolling and surveillance throughout the Matunga Division and the

following Beat Marshalls and Mobile Vans conduct patrolling and surveillance of the specific area where the institutions run by the Petitioners are located at the following timings and in the following manner, subject to other security requirements of the entire area under the jurisdiction of the Matunga Police Station: -

- i. Mobile Van No. 5 (Nirbhaya Squad) – regular patrolling in the college and school zones during the day, in addition to patrolling entire area throughout the day.*
- ii. Mobile Van No. 03 between 8 am to 11 am*
- iii. Beat Marshall No.04 between 10 am to 1 pm*
- iv. Mobile Van No. 05 between 10 am to 1 pm*
- v. Mobile Van No. 01 between 1 pm to 3 pm*
- vi. Beat Marshall No. 03 between 6 pm to 9 pm*

11. I say that the Beat Marshalls and Mobile Vans cover the entire area where the institutions run by the Petitioners are located, in the manner mentioned above, specifically during the College/school timings of the institutions run by the Petitioners.

12. I say that each squad (Nirbhaya Squad) patrolling by use of Mobile Vans No.5 comprises of a female officer of Sub-Inspector or Assistant Police Inspector rank, a woman constable, a male policeman/constable and a male driver, supervised by a woman Assistant Commissioner of Police or Police Inspector from each policing region/Zone.

13. I say and humbly submit that considering the directions of this Hon'ble Court and the concerns raised by the petitioner, the Matunga Police station, through it's beat chowkis existing in the proximity of the institutions run by the Petitioners, one or two constables will be designated to make a round of the college and school (institutions run by the Petitioners) during the school opening and closing timings to avert any untoward incident, in addition to patrolling and surveillance schedule already in place. I say that such additional patrolling and surveillance can be and will be carried out considering this to be a special case. I further say that the Matunga Police station will have to be duly updated by the Petitioners regarding the timings of the school and college (Institutions run by the Petitioners) in order to effectively implement such special and additional measure.”.

4. In view of the aforesaid statements made by the Senior Police Inspector in the affidavit referred to hereinabove, we dispose of this writ petition with a direction to the police authorities concerned to take all appropriate steps and measures including measures as mentioned in the additional affidavit for ensuring the safety and security of the girl students in the area.

5. Any laxity on the part of the authorities in this regard maybe viewed seriously by the Court.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)