

Court No. - 29

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 509 of 2020

Petitioner :- Mahendra Pratap Singh

Respondent :- State Of U.P. Through Secretary (Home) And 2 Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- C.S.C.

Hon'ble Munishwar Nath Bhandari, Acting Chief Justice
Hon'ble Anil Kumar Ojha, J.

Pursuant to direction of this Court dated 24.8.2021, the members of S.I.T. are present along with case diary. The Court has seen the record. It is found that though the FIR of the incident dated 16.9.2019 was lodged on 17.9.2021 having allegation and naming the accused but interrogation of those accused was not made immediately or within reasonable time rather it was almost after three months. It is despite serious allegation against the accused.

The investigating officer present in Court could not explain the delay in interrogating the accused in a case where a girl aged about 16 years found hanged in the school. The mother made allegation of harassment, beating and assault of child girl and thereafter hanged. The postmortem report shows no injury other than the ligature mark. This Court called upon the photographs of the girl which needs to be taken at the time of preparation of "Panchnama". The photographs are not available though it is stated that video was taken.

It is informed that the then Superintendent of Police, Mainpuri had been shifted after the incidence and is otherwise facing disciplinary inquiry, which said to have not been completed before his retirement. It was due to his misdeeds in the

investigation where report came showing semen in the vagina of the girl and sperm in undergarment.

Sri Manish Goyal, learned Additional Advocate General is directed to arrange the exhibition of the video in the Court.

We do not want to specify the order further otherwise shows that team of S.I.T. involved in this matter cannot be said to be independent to investigate the matter. Therefore, Director General of Police, Uttar Pradesh would remain present in Court tomorrow at 10.00 am. The members of S.I.T. would also remain present.

Let this matter be listed tomorrow i.e. 15.9.2021 at 10.00 am.

Order Date :- 14.9.2021

Kuldeep

(Anil Kumar Ojha, J.) (Munishwar Nath Bhandari, A.C.J.)