

ITEM NO.23

COURT NO.3

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 2051/2024

(Arising out of impugned final judgment and order dated 21-09-2023 in HCWP No. 297/2023 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

STATE OF U.P.

Petitioner(s)

VERSUS

RAMADHAR KASHYAP (MINOR) THRU. BROTHER DIVYANSHU Respondent(s)

(IA No.37758/2024-CONDONATION OF DELAY IN FILING and IA No.37759/2024-EXEMPTION FROM FILING O.T.)

Date : 19-02-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Ms. Garima Prasad, AAG, Sr. Adv.
Ms. Ruchira Goel, AOR
Ms. Shagun Parashar, Adv.
Mr. Adit Jayeshbhai Shah, Adv.
Mr. Sharanya Sinha, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Learned counsel for the petitioner-State states that the petitioner is aggrieved only with the direction given by the High Court to the Director General of Police, Lucknow, Uttar Pradesh to issue a circular directing the Station House Officers/Incharge of all Police Stations in the State to get

medical examination done of any person who has been brought or called at the police station only for investigation/inquiry.

2. The medical examination was directed to be conducted at the time of release.

3. We find that the direction was issued in order to put up a check on custodial violence on the person's brought to the police station.

4. We, therefore, do not find that any interference is warranted with regard to that.

5. However, Mrs. Garima Prasad, learned senior counsel/AAG appearing for the petitioner-State submitted that there can not be a omnibus direction of this nature and that certain guidelines are required to be framed in that regard.

6. We permit the respondent-State to prepare the Standard Operating Procedure for this purpose and place the same before this Court.

7. List this matter after eight weeks.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)