## IN THE HIGH COURT OF JHARKHAND AT RANCHI. W.P. (PIL) No. 2599 of 2013

Jurt On Its Own Motion

-Versus-

... Petitioner

The State of Jharkhand & Ors.

... Respondents

CORAM: - HON'BLE MR. JUSTICE VIRENDER SINGH, CHIEF JUSTICE HON'BLE MR. JUSTICE P.P. BHATT.

For the Petitioner

Mr. Rajeev Kumar, Amicus Curiae

For the Respondents

Mr. Rajesh Shankar, G.A.

16/ Dated: 12th May, 2015

Per Virender Singh, C.J.:

The Court *suo motu* took cognizance of news item published in 'Prabhat Khabar' dated 26<sup>th</sup> April, 2013 with regard to brutal murder of a girl of a very tender age (hardly 6/8 years) who was sexually assaulted as well. The Court had also shown a serious concern with regard to the preventive measures to be taken by the State to avoid happening of such like cases.

- 2. So far as a particular case relating to death of a young girl, who was sexually assaulted, a criminal case was registered as Doranda P.S. Case No.184 of 2013, which was earlier investigated by the officer of the rank of Inspector and when the Court noticed that the investigation was not being carried out in the manner it should have been, the investigation was handed over to the then Superintendent of Police (City), Ranchi, who investigated the matter, but could not collect any positive evidence but for arresting one Saddam Quraishi, who too was also discharged subsequently, there being insufficiency of evidence pointing towards his complicity in the commission of the alleged offence. Record reveals that at present the investigation of the present case is with one Mrs. Jaya Roy, the present City S.P., Ranchi, as she has been handed over the investigation of the present case very recently.
- 3. Mr. Rajesh Shankar, learned Government Advocate states that he may be given sometime to have the latest information with regard to the investigation of the aforesaid criminal case from the concerned quarter, for which he seeks at least four weeks' time.

Rajeev Kumar states that if one peruses the affidavit filed on 19<sup>th</sup> career 2013 by one Smt. Sangeeta Kumari, the then Superintendent of Police, Crime Investigation Division (CID), Jharkhand at Ranchi, the total number of rape cases registered in the State of Jharkhand from January, 2013 to August, 2013 were 917, out of which on completion of the investigation, charge sheet in terms of Section 173 Cr.P.C. was filed in 451 cases, whereas 73 cases were dropped as untraced on account of insufficiency of evidence and that 393 cases were still under investigation. At that time, 207 cases were shown to be pending before the court concerned for trial. Mr. Rajeev Kumar states that the State may be directed to place on record the latest information with regard to the total number of rape cases registered by the Police agency up to 31<sup>st</sup> March, 2015 making it further clear that in how many cases the investigation is not complete.

- 6. Mr. Rajesh Shankar states that for supplying this information to the Court, he needs the same time as already granted for supplying the aforesaid information.
- 7. Let us now advert to the concern shown by the Court with regard to the preventive measures to be taken by the State, so as to prevent these kinds of incidents in near future. In our view, some steps can be taken in the following manner:-

## Steps required to be taken on administrative side :

- Sensitization of Police officers working at all levels,
- (ii) Strengthening Police Stations with trained officials to deal with such cases,
- (iii) To establish helpline(s) at all levels.

## Awareness can be created through:

- (i) Information Department
- (ii) Women and Child Development Department
- (iii) Education Department in the school and colleges.
- (iv) Para-legal volunteers appointed by Jharkhand State Legal Services Authority/District Legal Services Authority/Talluka Level

Legal Services Committee.

(iv) NGOs.

We expect that State would consider the suggestions put forth by the Court in the right perspective and evolve a strategic plan to prevent such like incidents recogning in the State of Jharkhand quite frequently.

- We will appreciate, if the Secretary, Home Department and the Director General of Police, Jharkhand would step in and take certain remedial measures in this regard without any waste of time, if not already taken. Let a detailed report be submitted to the Court on or before the next date of hearing.
- List again on 23<sup>rd</sup> June, 2015.
- 11. Copy of this order be provided to learned counsel for both the sides under the seal and signature of the Court Master.
- Jharkhand State Legal Services Authority (JHALSA) for His Lordship's perusal and consideration.

(Virender Singh, C.J.) Sd/-(P.P. Bhatt, J.)

COURT MASTER
Jharkhund High Court
Ranchi

Sr. P.A./P.A. 20/5/2015

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