

(2019) 01 DEL CK 0122

In the Delhi High Court

Case No : Civil Writ Petition No. 2624 Of 2018

Pramanshi & Ors

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 11-01-2019

Acts Referred:

Citation : (2019) 01 DEL CK 0122

Hon'ble Judges : Rajendra Menon, CJ;V. Kameswar Rao, J

Bench : Division Bench

Advocate : Anil Soni, Priyanka Singh, Gautam Narayan, Mahamaya Chatterjee, Shivani Vij, Vivek Goyal, Sonia Sharma

Final Decision : Disposed Off

Judgement

V. Kameswar Rao, J

1. This petition has been filed by the petitioners with the following prayers:

"In view of the above facts and circumstances, it is most respectfully prayed that this Hon"ble Court may be pleased to issue a Writ of Mandamus or Order / Direction / declaration to:

i. Direct Respondents no.4 and 5 to convene an Expert Committee to chalk out guidelines and put in place regulations and protocols to ensure women safety during occasions such as Holi.

ii. Direct the Respondent no. 1, 2 and 3 to initiate an exercise of mapping of all vulnerable areas with regard to women safety.

iii. Direct the Respondents no.1 and 3 to institute women PCR's and increase the number of women police booths in all areas throughout the year.

iv. Direct Respondentsno.1, 3, 4 and 5 to monitor social media and also create a dedicated anonymous dropbox for victim complaints of incidents offline and online.

v. Direct the Respondents no.4 and 5 to create a cadre of support persons to act as intermediaries between the victim and law enforcement agencies.

vi. Pass any such Order as this Hon"ble Court may deem fit and proper in the facts and circumstances of the case.

2. A status report has been filed by the Delhi Police, wherein the following has been stated with regard to the three incidents narrated in the petition:

Incidents

Particulars

Status

Incident 1

Complainant attacked by 2 men on a bike who flung a balloon on her filled with urine in it on 28.02.2018 in Sant Nagar.

? Complainant registered (Reference No. 89550071800316) in Amar Colony Police Station on 28.02.2018.

? FIR registered under Section 188 of IPC (FIR No. 112/2018).

? Case was sent untraced on 13.08.2018.

Incident 2

Complainant attacked by balloons containing liquid on 28.02.2018 in Amar Colony.

? Complaint registered in Amar Colony Police Station and investigation initiated.

? It was concluded that only girls were present in premises from where balloons were flung and thereafter the complaint was withdrawn.

Incident 3

Complainant attacked semen filled balloons thrown by 4 unidentified persons, while boarding an auto rickshaw on 28.02.2018 in GK-I

? FIR was registered under Section 188 IPC in Kailash Colony Police Station on 28.02.2018.

? One of the accused was arrested and produced before the Metropolitan Magistrate, Saket for Test Identification Parade but he refused.

? The clothes of complainants were sent to Forensic Science Laboratory (FSL) on 01.03.2018 but no semen could be detected on the clothes.

? Another accused has been arrested and released on bail.

? Charesheet stands filed.

3. That apart in Para 3 of status report filed by the Delhi Police, the following has also been narrated:

"3. That it is most respectfully submitted that the Answering Respondent is conscious of the issue of safety and security of women in the city and has taken the following steps to ensure the same:-

3.1 Under the Shashakti Scheme, Self Defence Training is being imparted to women by training teams of Special Police Unit for Women and Children ("SPUWAC"). These trainings are conducted in schools, colleges, community centres, parks, jhuggi jhopri clusters among others.

3.2 A number of other programmes organized by SPUWAC are being conducted to empower women. One day workshops are conducted to create social awareness. Street Plays are organised in the areas where crimes against women is on the rise.

3.3 Under the Nirbheek Scheme, the Answering Respondent pays regular visits to schools and interacts with girl students to educate them about basic precautions against sexual abuse and to report about crimes, Gender sensitization sessions are also organized for boys and girls in schools and colleges.

3.4 Under the Sishtachar scheme, women police officers dressed in plain clothes are posted at busy places like markets, metro stations, cinema halls, bus stops to keep a watch on miscreants.

3.5 A 24 hours helpline vide number 1091 for women in distress is operational.

3.6 Separate specialized women Police team is functional to attend to women in distress on round the clock basis.

3.7. Cyber Highway adopted by the Answering Respondent, which connect all the police stations to respond promptly in circumstance where a distress call is received. Officer / s from the concerned police station and a Patrol Vehicle closest to the location from where a call is received reaches the distress at the earliest possible time.

3.8 An SMS response to the distressed caller is sent to inform her / him of the details of the Mobile Patrol Vehicle. The response time to attend to the distressed caller is between 2 minutes and 37 minutes.

3.9 Another project by the name of Emergency Response Support system which can be accessed by dialing 112 is in progress.

3.10 Police Control Room take note of areas wherein public lights are malfunctioning and inform the concerned civil agencies on a regular basis. Mobile Applications and web portal are in the process of being devised.

3.11. A Smart phone based "HIMMAT" is already in place to help women in distress by which an SOS alert is raised and it reaches family members as well as the Police Control Room. The location, video and an audio of 10 seconds can also

be shared with the Police Control Room. The location of the women in distress is updated every 10 seconds.

3.12. Under the Scheme "Ab Nahi Hai Darna and Bharosa", women are apprised about their rights and men are sensitized about stringent action taken in crime against women.

3.13. CCTV cameras are being installed at vulnerable areas in the city and the Answering Respondent is coordinating for the installation of the said cameras on the basis of Crime Mapping Study carried out by the Answering respondent. During this exercise, vulnerable areas in 44 Police Stations have been identified. The said list of areas has been provided to the Public Works Department, Govt. of NCT of Delhi on 30.07.2018. As on date 4388 CCTV cameras have been installed in Delhi by the Answering Respondent. It is most respectfully submitted that efforts are being made to install CCTV cameras by October, 2018 in all the 192 police stations and chowkies of the Answering Respondent.

3.14 In pursuance of the order of this Hon"ble Court in Court on its Own Motion v. Union of India, W.P.(C) 7927 of 2012, the Assistant Commissioner /s of Police have been designated as Nodal Officers for monitoring crimes against women in their respective sub divisions.

3.15 The Ministry of Home Affairs, Government of India has developed a centralized online reporting portal (www.cyberpolice.gov.in) for dealing with the complaints concerning Child pornography, Rape, Gang Rape among others. The Cyber Crime Cell of the Answering Respondent has been designated as the Nodal Cyber Crime Cell to deal with such complaints. The Cyber Crime Cell ensures prompt blocking / removal of the contents circulated on the internet.

4. In view of the stand taken by the Delhi Police in the status report which we have reproduced above, we are satisfied that sufficient and appropriate steps have been taken by the respondents.

5. We take on record the aforesaid stand and dispose of the writ petition.