

(2020) 02 DEL CK 0524

In the Delhi High Court

Case No : Civil Writ Petition No. 10074 Of 2017, Civil Miscellaneous No. 45843 Of 2019

Prashant Manchanda

APPELLANT

Vs

Union Of India And Ors.

RESPONDENT

Date of Decision : 18-02-2020

Acts Referred:

Citation : (2020) 02 DEL CK 0524

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ;C. Hari Shankar, J

Bench : Division Bench

Advocate : Harpreet Singh Hora, Anil Soni, Gautam Narayan, Shivani Vij, Dacchita Shahi, Puja Kalra, Virendra Singh, Monika Arora, Kushal Kumar, Rupinder Pal Singh

Final Decision : Disposed Of

Judgement

D.N. Patel, CJ

W.P.(C) 10074/2017

1. This so called Public Interest Litigation has been preferred with the following prayers :

â??(i) Issue directions to Respondent No. 1, 3, 4 and 5 to issue circulars to all the Police Stations and also direct the concerned police

officers to book the offending snatchers under already existing stringent sections of Indian Penal Code, 1860 as also to impart and

disseminate public awareness with regards to the legal provisions and rights available with the common man to deal with the menace of

snatching.

(ii) Issue recommendations to the Respondent no. 1 and 2 to add new sections in the Criminal Law in the lines of states like Haryana,

Maharashtra, Punjab, etc to cover the lacunae in law with a view to create a strong deterrence to the unchecked/unabated menace of

Snatching.

(iii) Direct Respondent No. 6 to 9 for providing proper lightings and adequate safety facilities in dark and gloomy public areas including

adequate vigil in and around parks & installation of requisite CCTV cameras in the aforesaid places.

(iv) Pass any other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present petition.â??

2. Petitioner appears in person submits that he intends to press only prayer no. (iii).

3. We have heard the petitioner in person and learned counsel for the respondents. Status Report, filed by the respondent no.5, Commissioner of

Police, discloses that 6790 Close Circuit Television (CCTV) cameras have already been installed, 2467 CCTV cameras are in the process of

installation and a tender for installation of additional 4506 CCTV has also been floated by the respondents. Thus, in total, there will be 13,763 CCTV

cameras installed in Delhi which facilitate the concerned authority to identify the culprits and thereby prevent offences like chain snatching, eve

teasing etc. in the public areas of city of Delhi.

4. Moreover looking to Annexure C filed alongwith the said status report, it appears that several other steps have also been initiated by the

respondents. The details of the steps given in Annexure â??Câ?? are reproduced as under :

â??INITIATIVES TAKEN BY DELHI POLICE FOR THE SAFETY AND SECURITY OF WOMEN AND GIRLS IN DELHI

1. ERSS 112:- On 25.09.2019, Delhi Police has launched the single emergency helpline No. 112 for immediate assistance. The Emergency Response

Support System (ERSS-112) will be the common number for all kinds of emergency services including police (100), fire (101), ambulance (103) and

others functions. To make this emergency number popular among the common public at large, vide publicity has been given by publication in several

Hindi/English news papers.

2. Women Helpline 1091:- A 24 hour helpline 1091 is functional since September, 2002 to reach out to women in distress. A separate specialized

Women Police Mobile Team is functioning to attend to distress calls on this emergency helpline round-the-clock.

3. Anti-Stalking Services for Women: - One of the main problems faced by the women in Delhi is receiving of obnoxious telephone calls and stalking

using mobile phones. There are thousands of such calls received from women complaining of this. Hence, all such distress calls from women about

stalking are diverted to a special anti-stalking group in the Central Police Control Room which functions 24 X 7 hours. From here, the staff ring-up the

abusing number and effectively deals with the aggressor which is the demand by most of the complainants. In case of stalking calls, it is immediately

referred to the local police in real time to all Police Stations levels through the cyber highway network.

4. Himmat Plus App: - The Himmat App for women was launched on 01.01.2015 and unpublished on 13.02.2018. The Himmat Plus SOS App for

women was relaunched on 6th Feb. 2018. The App has been made bilingual. The registration is simple and possible through the App only. Also the

app has been transformed from an Emergency Safety App to a Utility App for all sections of the society. The facebook page of Delhi Traffic Police

and Twitter handle of Delhi Police have also been linked with the App to provide traffic updates as well other updates of Delhi Police for the benefit

of the users. A special feature for scanning the QR code of the drivers of the Taxies, TSRs and e-Rickshaws has been built in the new App. In order

to increase the effectiveness and reach of Himmat App amongst youth and women, its registration process has been simplified. Its user interface is

being made more user-friendly and an effective advertisement campaign is also being planned. During the year 2018, 66,946 downloads have been

counted and 46111, persons have registered on Himmat Plus App. During, the year 2019 (upto 30th September), 18,991 downloads have been counted

and 12,816 persons have registered on the App.

5. No jurisdictional dispute is allowed to delay police response on a complaint. Immediate action is taken by the officer on receipt of complaint to

apprehend the accused and to provide medical and other assistance without going into jurisdictional issues.

6. Handling of complainants: - Women complainants are handled with respect and sympathy. Complaints made by women are recorded verbatim, as

stated by them, preferably by a lady police officer and investigated without any uncalled for remarks or observations by the police officers concerned.

7. Action against eve-teasers: - Beat Officers are being sensitized regularly to take prompt action against eve-teasers, and to follow a zero-tolerance

policy in this regard. In view of recurring complaints about eve-teasing, local police and PCR vans are deployed outside girls' schools, colleges and educational institutes during opening and closing hours.

8. Spl. CPAA/omen Safety is working as Nodal Officer for Delhi to interact with women NGOs, working for women.

9. ALL WOMEN PGR VANS :- Fifteen Police Control Room Vans, manned by all women staff, from driver to 1/C Van are stationed at the

following places, i.e (i) C-Hexagon- Rajpath (ii) Jesus & Mary College (iii) India Gate Inner Circle (iv) American Centre / K.G. Marg (Janpath) (v)

Rajeev Chowk (Metro Station) (vi) Khan Market Metro Station (vii) Patel Chest Hospital (viii) DU Metro Station Vishwa Vidhyalaya (ix) Karol Bagh

(Metro Station) (x) Mata Sundri College (xi) S.V. College (South Campus) (xii) Lady Shri Ram College (South Campus) (xiii) Dayal Singh College,

CGO Complex (xiv) Gargi College, Nehru College (xv) Laxmi Bai College, Ashok Vihar. This service is proposed to be extended to other areas prone

to Crime against Women.

10. To increase visibility of policemen on the road and keeping tabs on criminals at the beat level, additional and integrated police pickets have been

increased for dynamic pickets checking at vulnerable points.

11. Thana level women safety committee having representatives of NGOs relating to empowerment of women, RWAs, MWAs, Principals of

prestigious colleges/schools, one ex-service man, Home guard incharge, Civil defence incharge, SHO and ACP/Sub Division are functioning to

oversee the issue of women safety.

12. Special Police Unit for Women and Children has a regularly updated website www.spuwac.com containing guidelines and measures for safety of

women and children in Delhi.

13. Special Police Unit for North East Residents: - A Special Police Unit for North East residents has been set up in Nanakpura for making life more

secure for them, and dealing with issues related to Safety of Women pertaining to North-East region.

14. Vulnerable routes taken by women returning from entertainment hubs and malls are being patrolled with increased redeployment of pickets, PCR

vans and motorcycle etc.

15. 30 Scorpios with modern devices have been inducted for extensive patrolling in street crime prone areas of Delhi. These Prakhar Vans will initially

be deployed at 30 crime prone locations and will be increased further as per the requirements of Delhi. Also, 32 nos. Enfield Interceptor 650 ABS, 12

nos. Enfield Thunderbird 500X and 24 nos. Enfield Himalayan 410 CC high powered motorcycles have been purchased and deployed in the Districts

by Delhi Police for conducting intensive patrolling to control the crime of snatchjng

16. Intensive patrolling by Beat Officers is being done around malls, complexes, restaurant clusters, markets, near schools, colleges, coaching institutes

etc.

17. Directions from the transport department has been got issued for all public transport vehicles to display name of the driver and staff alongwith

photographs and PSV No. inside all public transport vehicles.

18. Data on repeat violation of the offences under the Motor Vehicle Act, 1988 is being shared regularly with the Transport Department of GNCTD

for cancellation of R.C under ""Repeat Offence Policy"".

19. Mobile numbers of night GOs have been made available to public for direct contact.

20. Sensitization and check on public places: - Action against consuming alcohol in public place has been intensified.

21. Discotheques and night clubs have been strictly directed to close by 01:00 AM.

22. During Special checking at Metro Stations and Railway Stations, for the safety & security of women commuters 2,922 persons have been

challaned for travelling in woman compartments, in the year 2018 and 228 during the year 2019 (upto 30th September).

23. Meetings with representatives of various NGOs, working in the field for empowerment of women, are organized on monthly basis to discuss the

improvements in safety and security of women in Delhi.

24. Self-Defence Training:- Self-defence training was initiated in the year-2002 by the Special Police Unit for Women and Children, with an object

to empower women by way of demonstration and training in techniques of Martial Arts and educate them about the tactics in self defence by using

common things, which are generally in their possession like Dupatta, Pen & Handbags to protect themselves from attacks by anti- social elements,

chain or bag snatching, criminal assault etc. Such trainings develop a sense of self esteem and release them from the feeling that they are vulnerable.

Such training have been imparted to 4,07,373 girls/women participants in 2,213 batches from 2002 to 2019 (upto 31.08.2019). Apart from the above,

1,08,159 participants have been trained in 662 one day's workshops, held from 2002 to 2019 (upto 31.08.2019).

25. Security audit of Paying Guest accommodations and hostels: - Security audit of all paying guest accommodations and hostels for women and

girls has been completed. Security measures required to be taken by them have been explained to them. A total of 453 paying guest accommodations/

hostels have been covered.

26. Placement Agencies: - Placement agencies have been identified to ensure that they are not used as fronts for illicit activities like human

trafficking.

27. Civic Agencies: - Civic agencies are regularly being informed about poorly lit stretches of roads. Civic agencies have also been requested to

install CCTVs, webcams at parking lots, shopping malls etc.

28. Traffic Police: - Traffic police has launched special drives against Public Transport vehicles having films & tinted glasses, unauthorized buses

picking up passengers from crowded bus stands, and against TSR/Taxi drivers for refusal or misbehavior. Special deployment of the staff outside

Metro Stations, designated Bus Stops, Malls at identified vulnerable routes is being done to inculcate confidence and provide on the spot help to public

transport users.

29. Instructions are issued to BPOs and reviewed from time to time to ensure that woman employees are not made to travel alone with the cab driver

and a duly verified security guard or a male colleague (regular employee of the company) is invariably present in each cab carrying women staff

during the night hours i.e. 8 PM to 7 AM. On our directions the BPOs are exercising effective checks and controls on the vehicle's movement in order

to prevent unwarranted activities by cab drivers, such as picking up strangers,

straying away from the designated route, etc. by installing GPS systems in the cabs used for transportation of the employees.

30. Gender Sensitization: - Gender Sensitization and legal awareness programmes are being organized for police personnel in association with the NGOs to create a gender-friendly environment in police stations of Delhi considering the need to educate and sensitize the police personnel on gender and related issues including legal provisions so that women do not face apathy and callousness while approaching police in distress. 428 gender sensitization programmes have been conducted in which, 11923 police personnel have participated in the year 2017 and 331 gender sensitization programmes have been conducted in which, 9176 police personnel have participated during the year 2018 and, 223 gender sensitization programme have been conducted in which, 6830 police personnel have participated during the current year 2019 (upto 30th September).

31. Expeditious completion of investigation of rape cases is accorded paramount importance by Delhi Police. Investigation in every rape case is closely monitored by the concerned DCP and the endeavour is to file charge sheet within twenty days of arresting the accused.

32. Speedy Trial of gang rape cases: - On the request of Delhi Police, Hon'ble Delhi High Court has issued directions to the District Courts in Delhi that all gang rape cases be fast tracked.

33. Shishtachar:- Under this scheme women police officers, dressed in civil clothes, are posted at busy places like markets, metro stations, cinema halls and buses to keep a watch on the miscreants. In case someone is caught while eve teasing or demonstrating an illicit behaviour, the person is immediately nabbed and taken to the police station for further course of action.

34. Exclusive Help Desks for Women In Police Stations:-Woman Help Desks are functioning 24X7 to attend to women complainants and facility of one dedicated telephone line has also been provided in all the Police Stations on this desk.

35. Public Facilitation Officer (PFO):- Public perception of police image is incumbent on many facets of police performance but the most important contributory factor is how a complainant is handled when he/she approaches a police station with a grievance. Keeping this in mind, Delhi Police has initiated this year a scheme of deploying Public Facilitation Officers (PFOs) in

Police Stations. In this innovative endeavour, well-trained and sensitized police officers (male & female) man the initial contact point of the police station and have been designated as the Public Facilitation Officers. These PFOs are attired in specially designed civilian dress so that the fear of uniform does not become a barrier in smooth interface and facilitation. At present, 171 police, stations in Delhi already have this facility which will be extended in due course to all the police stations.

36. Establishment of women police station:- Predominantly women staffed police station have been set-up in the North as well as South campuses of Delhi University i.e. Maurice Nagar and South Campus respectively for the safety of girl students and for building confidence among them.

37. Parivartan:- In this unique experiment, targeting mainly slum areas, women police officials are deputed to perform beat duties and they are imparted special training to control crime against women. Further this scheme includes educating parents, teachers, students, youths. Area Security Committee members, NGOs and other key persons on issues pertaining to safety of women. The scheme also includes door-step polioing by women constables for identification and reressal of grievances of women within the community; intensive street performances focusing on rape and sexual assault, dowry harassment and domestic violence against women and awareness lectures by psychologists to sensitize adolescent boys and girls about crime.

38. Liaison with Rape Crisis Intervention Centres:- A mechanism has been evolved to maintain a close liaison between the local police and the District RCICs and their members like Doctors, psychologists. Lawyers, Volunteer Organizations, Nodal Officers etc. by convening periodical meetings so as to facilitate providing professional counselling to rape victims.â??

5. Thus, looking to the status reports filed by the respondents, it appears that enough and adequate steps have been taken to prevent/control the crimes/offences in Delhi. It ought to be kept in mind that â??good laws can never restrain bad people but good people can always restrain bad peopleâ??.

6. In view of the above, we see no reason to further monitor this case. However, we expect from the respondents that the steps already initiated by them will be effectively implemented in the city of Delhi.

7. With these observations, this writ petition is hereby disposed of.

CM No.45843/2019

1. In view of the disposal of the writ petition, this application also stands disposed of.