

**HIGH COURT OF JUDICATURE AT ALLAHABAD****CRIMINAL WRIT-PUBLIC INTEREST LITIGATION No. - 8 of 2026**

Amit Kumar Singh @ Sonu Singh and another

.....Petitioner(s)

Versus

State of U.P. and 9 others

.....Respondent(s)

Along with :**1. Public Interest Litigation (pil) No. 1493 of 2026:**

Mamta Singh and 11 others

Versus

State of U.P. and 3 others

Counsel for Petitioner(s) : Mamta Singh, Omar Zamin, Sr.
Advocate

Counsel for Respondent(s) : C.S.C., G.A.

Court No. - 39

HON'BLE SALIL KUMAR RAI, J.

HON'BLE SWARUPAMA CHATURVEDI, J.

Public Interest Litigation (Criminal) No. 8 of 2026 has been filed by the Vice President and the Hon'ble Secretary of the High Court Bar Association, Allahabad praying for a mandamus commanding the Police Commissioner, District Prayagraj and other Officers of the district administration for conducting the speedy and fair investigation in Case Crime No. 0046 of 2026 or in the alternative to constitute a special investigation team in the supervision of a judicial officer or any independent agency to investigate the aforementioned case. The other ancillary prayers have also been made in the petition regarding the alleged medical negligence of the doctors in treating an advocate of this Court who unfortunately died due to lack of medical treatment. The events as unfolded are unfortunate and are narrated below.

On 20.05.2026, there was some unseemly incident between some members of the Bar as well as the doctors and other staff of Swaroop Rani Nehru Hospital. The facts are that at around 05:00 a.m. on 20.05.2026,

Jagrati Shukla, who was a practicing advocate in Allahabad High Court, was seriously injured in an accident while coming to the Allahabad High Court Cricket Ground for regular cricket practice. Jagrati Shukla was immediately taken to Swaroop Rani Nehru Hospital by other advocates which included some lady advocates also. It is the case of the advocates who had accompanied Jagrati Shukla that the Emergency Medical Officer on duty in Swaroop Rani Nehru Hospital was sleeping and was not in alert mode and refused to treat the injured. It is alleged by the advocates that on being requested by the accompanying advocates to treat the injured the doctors on duty including the Emergency Medical Officer misbehaved with the lady advocates. The matter took an ugly turn and it appears that there was a scuffle between the advocates and the staff of the hospital which included the doctors on duty as well as senior residents. A First Information Report regarding the incident was registered on 20th May, 2026 at 16:49 hours, i.e., 04:49 p.m. at the instance of one Ms. Riya @ Rasika Anees Khan, one of the advocates who accompanied Jagrati Shukla. The F.I.R. narrates in detail the allegations of the members of the Bar and on the said First Information Report, Case Crime No. 0046 of 2026 under Sections 115(2), 309(4), 109(1), 118(2), 127(2), 76, 351(3), 352 BNS, 2023 was registered at Police Station Kotwali, Commissionerate Prayagraj against unknown persons specified as many junior doctors, S.R.N. Hospital, Prayagraj.

The incident in the hospital obviously offended the members of the High Court Bar who went to the streets in protest holding *chakka jams* which disrupted the traffic in the city causing much hardship to the general public. In retort, the doctors in Swaroop Rani Nehru Hospital also went on strike which again affected and caused problems to the common man who went to the hospital for treatment.

It appears that subsequently Jagrati Shukla, on the same day at 10:00 a.m., was withdrawn from the medical college by her friends and parents and admitted in a private nursing home. The facts have not been stated in the petitions but have been stated at the dais and are in common knowledge and published in the newspaper, therefore, this Court takes cognizance of the same. Jagrati Shukla remained in the private nursing home for two days where it was found that there were severe injuries in the pancreas

and it was advised that she be shifted to S.G.P.G.I., Lucknow for treatment. Jagrati Shukla was shifted to Lucknow sometimes on 22/23.05.2026. She died in S.G.P.G.I. on 07.06.2026 while still under treatment.

The death of a colleague again emotionally charged the Bar of the Allahabad High Court and also the District and Revenue Bar of the district. It is the grievance of the Bar that the investigating machinery was not properly investigating the case and in case the injured had been immediately given proper medical treatment, she would have survived. We make no observation on the allegations as the same requires expert opinion. It has also been alleged that the Investigating Officer was careless in investigating the case as would be evident from the fact that the statements of the witnesses and the persons who were assaulted by the doctors and other staff of the hospital on 20.05.2026 and also of the injured has not till date been recorded under Section 161 Cr.P.C. In short, the petitions proceed on the grievance that the investigation in the case was not being conducted satisfactorily, hence, the prayer noted above.

We asked Sri M.C. Chaturvedi, the Additional Advocate General and Sri Manoj Singh, the Chief Standing Counsel present in the court to produce the progress report in the investigation. Today, the progress report was produced and the progress report shows that the statement of the first informant had been recorded by the Investigating Officer, though a little late, and the injury report of the different injured persons as mentioned in the first information report had also been perused by the Investigating Officer. The contents of the injury report has been noted in the case diary. We do not give the details of the contents of the case diary as they are not required for a decision of the present Public Interest Litigation petitions and the order proposed to be presently passed.

While the case was being heard, the first informant, i.e., Ms. Riya @ Rasika appeared before the Court in person and opposed the Public Interest Litigation petitions saying that she was satisfied with the investigation as it has been conducted till date. However, from her statement before the Court, it appeared that the first informant expected that the accused in Case Crime No. 0046 of 2026 shall be put under arrest

by the police. It also appears from the arguments at the dais by the counsel representing the Bar and the petitioners that the laxity on the part of the Investigating Officer is also inferred from his conduct in not arresting the doctors and the staff of the medical hospital allegedly responsible for the ruckus noted above.

Yesterday, when the case was taken up, the Court had asked the members of the Bar Association to withdraw the *chakka jam* which was disrupting the normal traffic movement in the city and was causing hardship to the common man. The Bar assured the Court that no obstruction shall be caused to the traffic in the city and has honoured its statement. The Chief Medical Officer, Prayagraj, the Principal, Moti Lal Nehru Medical College, Prayagraj and the Superintendent Incharge Swaroop Rani Nehru Hospital, Prayagraj have been impleaded as respondents but because of the shortage of time, notices could not be issued to them so they are not represented by the counsel nor are personally present in the Court. However, it has been reported that the doctors in Swaroop Rani Nehru Hospital have gone on strike and have refused to treat the patients coming for treatment or admitted in Swaroop Rani Nehru Hospital. We take notice of the aforesaid fact.

It has been stated in the Public Interest Litigation petitions that the failure to give primary medical treatment to the injured Jagrati Shukla was not the first such incident in the hospital and it is a normal behavior of the doctors of the hospital. It is a general opinion and as an illustration, another FIR registered against the doctors has also been annexed with the petition narrating the unruly and indisciplined behavior of the staff in Swaroop Rani Nehru Hospital. We make no comments on the veracity of the allegations made in either of the first information reports. However, we do take notice that there was a general complaint amongst the public and is also reported in newspapers regarding the poor medical attendance being given to the patients in Swaroop Rani Nehru Hospital. Reference has been made by the counsel to different Public Interest Litigation petitions filed and pending in this Court.

In this context, a legitimate suspicion does arise that the allegations that Jagrati Shukla, the deceased noted above, was not given the necessary

medical treatment when she was brought to the medical hospital and the allegation that the advocates asking the doctors and other staff to provide them necessary medical treatment were manhandled and assaulted by the doctors may be true. The events as they have evolved since 20.5.2026 developing in rivalry between two professional groups also make us suspect that any investigation by the district administration would be a sham investigation and any report would be a partisan report either in favour of the professionals group which is able to create pressure demonstrating its strength on the streets by its undignified activities which cause discomfort and harassment to the common man or would be in favour of the professional group which indulges in criminal activities denying medical treatment to poor and common man on whose tax-money it butters its bread. The incident requires a fair enquiry.

In the circumstance, we consider it appropriate that an inquiry be held by a retired High Court Judge on the issue.

We request Hon'ble Mr. Justice Arun Tandon to inquire into the following issues : -

1. Whether Jagrati Shukla when taken to Swaroop Rani Nehru Hospital on 20.05.2026 was immediately attended to by the Emergency Medical Officers and other staff of the S.R.N. hospital and given the timely and necessary medical treatment as required in the circumstances?
2. Whether the standard of care provided to Jagrati Shukla on her being brought to Swaroop Rani Nehru Hospital was sufficient and up to the mark and whether her death could be attributed to any negligence in her treatment?
3. Who was responsible for the physical clash between the junior resident doctors as well as other staff of the hospital and the attending advocates and also as to why the police personnels at the trauma centre did not secure the attendants and ensure that emergency medical services to the injured remained uninterrupted.
4. The inquiry shall also be regarding any other ancillary matters which may be necessary to record a finding on the aforesaid issues.

The Principal, Moti Lal Nehru Medical College, Prayagraj and any other person in possession of any evidence on the aforesaid issues shall submit the said evidence to the Hon'ble Judge either in original or in duplicate after certifying the same which may be assessed by the Hon'ble Judge to record a finding on the issues as noted above. It is also clarified that the Hon'ble Judge may also summon any other record, electronic or paper from any witness or may summon any witness who may be necessary to help record any finding on the issues narrated above.

We also clarify that while holding the inquiry, the Hon'ble Judge shall also have the power to summon any expert witness or any independent person and any person of the administration and also any qualified government doctor who could assist the Hon'ble Judge in the inquiry. On being so summoned, the concerned person shall be duty-bound to be present before the Hon'ble Judge on the time and at the place communicated to him.

The complainant as well as other persons mentioned in the First Information Report who are reported to be injured and the doctors in the hospital who may be charged or accused by the attending advocates shall also appear and submit their version before the Hon'ble Judge.

As the matter relates to public interest and is also adversely affecting the functioning of the High Court and the general public, we direct the Registrar General of the High Court to provide logistics, administration, financial and secretarial assistance to the Hon'ble Judge which may be necessary for conducting the inquiry.

We request the Hon'ble Judge that the inquiry may be completed as soon as possible, preferably by 30th September, 2026. The report shall be submitted in a sealed cover.

We further direct that the Investigating Officer shall also apprise the Honorable Judge holding the judicial inquiry of every progress in the investigation.

Ms. Riya @ Rasika had appeared personally before this Court and also stated that she was satisfied with the investigation. The case diary

produced before us does not disclose that the Investigating Officer found it necessary to arrest any of the accused or any other person who had allegedly assaulted the persons accompanying the deceased / injured. The incident is dated 20.05.2026. In the circumstance, we consider that it is not a case where a custodial interrogation would be required in any case. We are also mindful of the fact that the accused are medical professionals. ***In view of the aforesaid, we direct that even though the investigation in Case Crime No. 0046 of 2026 shall be continued by the Investigating Officer but no arrest shall be made by the Investigating Officer in Case Crime No. 0046 of 2026 registered under Sections 115(2), 309(4), 109(1), 118(2), 127(2), 76, 351(3), 352 BNS, 2023 and any person already arrested shall be released on personal bond.***

The Court has taken cognizance of the public interest petition because of the precarious situation in the city due to the strike by the residents doctors in S.R.N. Hospital and the street protest by the members of the Bar Association. We do not approve of either of the acts. The dispute may be between two professional groups or two individuals but it cannot be made a cause to deprive the general people and the common man of their right to free movement or for medical aid in Government Hospitals. We are constrained to observe that any action obstructing either free movement of the citizens of the city or any action depriving them of medical aid in the government hospitals is in essence a criminal act.

In the circumstances, we also direct the district administration, i.e., the District Magistrate and the Commissioner of Police, Prayagraj that in case there is any obstruction by any professional group to any traffic movement in District Allahabad / Prayagraj on the issues involved in Case Crime No. 0046 of 2026, the district administration shall exercise all powers provided to it under the law, including use of force, to ensure that the obstruction is removed and ensure the free movement of traffic in the city. We further direct the district administration as well as the Chief Medical Officer, Prayagraj, the Principal, Moti Lal Nehru Medical College, Prayagraj and the Superintendent Incharge Swaroop Rani Nehru Hospital, Prayagraj that they shall ensure that the doctors or any staff or employee of the aforesaid institutions who is abstaining from work shall immediately resume his duty today itself and on failure of the said person

to resume his duty, the Principal and the Superintendent Incharge shall immediately put them under suspension and report the matter to this Court. Any other doctor or medical staff in any government institution who abstains from work shall also be reported accordingly by the Incharge of the said institution. We also direct that no medical personnel shall obstruct or cause inconvenience to the public in District Allahabad or create any obstruction in any movement of the public in the district.

The petitioners are permitted to implead Ms. Riya @ Rasika as respondent no. 11 to the Public Interest Litigation petitions and also the National Medical Council of India, New Delhi as respondent no. 12.

The proposed respondent, i.e., National Medical Council of India, New Delhi is being summoned to ensure the prevention of recurring strikes by the doctors in Government Hospitals.

It is also clarified that any violation of the directions issued above either by any member of the Bar in District Allahabad or by the employees, teachers, doctors or any other staff in any government medical institution and hospital shall be treated as Contempt of Court and the delinquent shall be liable to be prosecuted and punished as such.

List again on **27th July, 2026** at 02:00 p.m.

The Standing Counsel has taken notice on behalf of respondent nos. 1 to 9.

Issue notice to respondent no. 10 and newly impleaded respondent nos. 11 and 12.

A copy of this order shall be sent to the District Magistrate, Prayagraj, the Commissioner of Police, Prayagraj, the Chief Medical Officer, Prayagraj, the Principal, Moti Lal Nehru Medical College, Prayagraj and the Superintendent Incharge Swaroop Rani Nehru Hospital, Prayagraj and to the National Medical Council of India, New Delhi by the Registrar (Compliance) within 24 hours and through electronic mode by 10:00 a.m. on 11.06.2026 itself for necessary compliance.

A copy of this order shall also be sent to Hon'ble Mr. Justice Arun

Tandon along with a request for holding the inquiry as noted in the order within 48 hours.

June 10, 2026
Satyam

(Swarupama Chaturvedi,J.) (Salil Kumar Rai,J.)