



HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR



D.B. Civil Writ Petition No. 23646/2025

1. Rajasthan High Court Advocates' Association, Jodhpur through the Secretary.
2. Rajasthan High Court Lawyers' Association, Jodhpur through the Secretary.

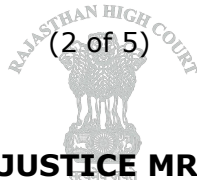
----Petitioners

Versus

1. State Of Rajasthan through the Secretary, Department of Home, Secretariat Jaipur.
 2. Commissioner of Police, Police Commissionarate, Jodhpur.
- Respondents

For Petitioner(s)	: Dr. Sachin Acharya Sr. Adv. assisted by Mr. Sunil Purohit Mr. Anand Purohit, Sr Adv assisted by Mr. Digvijay Singh Jasol Mr. Sushil Bishnoi Mr. Ratna Ram Tholiya Mr. Shubham Modi Mr. Manish Tak Ms. Anita Gehlot Ms. Deepika Soni Mr. Rishi Soni Mr. Rajesh Parihar Mr. KL Bishnoi Ms. Deepika Purohit Mr. Deendayal Purohit Mr. Rakesh Kalla
For Respondent(s)	: Mr. Mahaveer Bishnoi, AAG with Mr. Gaurav Bishnoi Mr. Rajesh Panwar, Sr. Adv. & AAG with Mr. Ayush Gehlot and Mr. Monal Chug Mr. BL Bhati, AAG with Mr. Deepak Chandak Dr. Praveen Khandelwal, AAG with Mr. Arpit Samaria Mr. SS Rathore, AAG Mr. IR Choudhary, AAG Mr. Ravindra Jala, AAAG for Mr. SS Ladrecha, AAG
Police Officers present in person	: Mr. Om Prakash, Commissioner of Police Mr. Vinit Bansal, DCP(West) Mr. Roshan Meena, ADCP





HON'BLE THE ACTING CHIEF JUSTICE MR.SANJEEV PRAKASH SHARMA

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

02/12/2025

(At 10:30AM)

1. Learned Senior Advocate Dr. Sachin Acharya, an elected Member of Bar Council of Rajasthan has made a mention of the news item which has been published today in the daily newspaper 'Dainik Bhaskar' relating to manhandling and misbehaviour by the SHO, Police Station, Kudi Bhagtasani, Jodhpur. It is stated that a lawyer namely Mr. Bharat Singh Rathore with his wife who is a lady lawyer of this Court had gone to the Police Station along with rape victim who was the prosecutrix. One person in civil clothes and not wearing the uniform was recording the statement of the prosecutrix without following the procedure. The concerned lawyer went to complain to the SHO who instead of redressing the complaint, misbehaved and manhandled the lawyer and shoved him in a room. The lawyer also demanded that the victim should not be called several times to the police station which angered the SHO and he restrained the concerned lawyer in his room. His wife, a lady lawyer insisted that they have a right to demand proper recording of statement and also requested not to manhandle her husband and if he was to be arrested, she demanded that she also should be arrested. The police officials were trying to tell her to go back which she refused. A lady constable also tried to remove her from the place. A video of the incident was shown to the Court.

2. Taking cognizance of the incident, we asked the Additional Advocate General Mr. Mahaveer Bishnoi, who is present in the Court to summon the Commissioner of Police, Jodhpur and the



Deputy Commissioner of Police(West), Jodhpur to remain present at 11:30 AM. A copy of the news item is taken on record as Ex.A.

Registry is directed to register this case as D.B Civil Writ Petition(PIL) [Rajasthan High Court Advocates Association & Anr Vs. State of Rajasthan & Anr.].

(At 11:30 AM)

3. Pursuant to the above direction, Mr. Om Prakash, Commissioner of Police, Jodhpur appears in the Court along with Mr. Vinit Bansal, DCP (West) and Mr. Roshan Meena, ADCP, who is an IPS officer.

4. The incident, which has been recorded in a video, has become viral, reflects that the concerned SHO has actually misbehaved and as suggested by the Commissioner, needs to be trained for soft skills. The Commissioner has also assured this Court of conducting an inquiry in the matter and if required departmental proceedings would be initiated against the concerned officials, who were responsible for misbehaving with the lawyers, who were representing a cause of victim. The incident is most unfortunate and the lawyer community has been agitated by such incident.

5. We feel that so far as the advocates and police personnel are concerned, they both are two limbs of the same justice delivery system and are to act *in tandem* with each other and there should be mutual respect and mutual cooperation between the two. While the police is required to work in difficult situations and has to sometime act strongly with the accused, the same cannot be expected from them when they are dealing with the lawyers. Similarly, lawyers are also expected to deal with the police

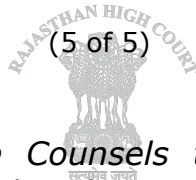


personnel in a soft manner and with a polite attitude. The present incident which has been brought to our knowledge reflects lack of coordination between the two wings of administration of justice. The police officials are required to be given thorough soft skill training and as assured by the Commissioner of Police, training would be provided not only to the officials at the Commissionerate of Jodhpur but to the other officials also and we expect him to inform about this aspect to the police academy where the police officers are trained. The present incident should reach to a logical conclusion. We would expect the report from the Commissioner on the next date about what further departmental action has been taken against the concerned officials who were present at the time of the incident including the SHO and other constables and staff.

6. For the purpose that in future no such incidents should occur not only in Jodhpur but in other districts in Rajasthan, we deem it apposite to notice that an order was passed earlier way back in 2019 by one of us in the case of **Bharat Yadav v. State of Rajasthan, (2019 SCC OnLine Raj 782)** and in that case too, a somewhat similar incident had occurred, of-course there the concerned lawyer had been wrongfully detained. The relevant portion of the said order reads as under:

"7. This Court notices that the Apex Court in the case of Harish Uppal v. Union of India has noticed that there are grievances of advocates in relation to the action being taken by the administration at different levels. It also directed that each High Court shall constitute a Grievance Redressal Committee. However, the Grievance Redressal Committee is only at the level of the High Court. The Hon'ble Chief Justice has already constituted such Committee at the Principal Seat, Jodhpur as well as at Jaipur which includes three sitting Judges of the Court and Chairman of the Bar Council, President and Advocate General. Such a Committee although exists at the level of the High Court but the Court appreciates the





stand taken by the Counsels that a Coordination Committee at each district level should be functioning so that the matters may not have to travel up to the High Court with regard to issues which can be sorted out at the level of the district alone.

8. It is, therefore, suggested that Shri Rajendra Yadav, Government Counsel shall place before this Court a tentative constitution of such Committee which shall include at least one representative from the respective Bar Association of that district as well as one Member from the judiciary. Apart from the same, there should also be one Official from the concerned police department so that the matter can be examined impartially. The Chairmanship of such a Committee should be given to either the District Judge of the concerned district or to any retired High Court Judge, if need so arises."

7. It appears that inspite of the observations made therein, the Coordination Committee, as suggested, has not been actively performing its work. We, therefore, direct that Coordination Committee at each district shall be formed afresh and details of the same shall be communicated to this Court on the next date. Further directions shall be passed thereafter relating as to how the said Committee shall function.

8. At this stage, the Commissioner assures this Court that the action against the concerned officials shall be taken immediately and the same shall be reported to this Court by today evening.

9. On oral mentioning made by the Bar Associations, let this petition be registered and be listed on 08.12.2025.

10. A copy of this order shall be sent to the Commissioner of Police and Director General of Police.

(BALJINDER SINGH SANDHU),J

(SANJEEV PRAKASH SHARMA),ACJ

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