

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
WP No. 21850 of 2017

(GAJENDRA SINGH CHANDEL Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 05-07-2022

Shri Anil Kumar Shrivastava, learned counsel for the petitioner.

Shri M.P.S. Raghuvanshi, learned Additional Advocate General for the respondent-State.

This writ petition under Article 226 of the Constitution of India, at the instance of an unfortunate father was filed in the year 2017 with the pious hope that this Court in exercise of its extraordinary constitutional jurisdiction shall come to his rescue for tracing her missing minor girl aged about 11 years.

Despite repeated orders by this Court, callousness on the part of the Police force is well evident. Besides, the complaint of the counsel for the petitioner is that at some point of time, though there was a breakthrough situation during investigation with the incriminating material found, still the investigation was put to a standstill. It further appears that despite 03 SITs constituted to search for the missing corpus, the corpus so far has not been found out. It shows incompetence of such Police officials, who were members of the SITs. That apart, there is a disclosure of the fact by a person namely Sonu Kalawat S/o Suresh Kalawat of having raped, killed and buried the body of the missing corpus, but so far no action has been taken against him. The photographs of the minor girl on record reflect how ruthlessly she was beaten black and blue, smashed her face and the whole body looked totally mutilated.

The height of absurdity and stupidity on the part of the Police officials is writ large, as despite the said knowledge of demise of the corpus, subsequent reports are being submitted that the missing corpus Ms. Geeta is being

searched. Last affidavit filed by the Director General of Police on 05/03/2020 in compliance of the Court's order though runs into 06 pages but prima facie appears to be a lip service, as no substantial steps have been taken for action against such assailant, who was alleged to have stated about the rape and murder of the deceased missing corpus. It is further surprising to note that so far, no FIR has been lodged to start the investigation on aforesaid disclosure of the fact of the death of the deceased corpus. Also, there is nothing on record to pursue the application pending before the Collector for conducting the NARCO test of Sonu Kalawat, for which application allegedly was filed on 14/02/2020 and from reading of paragraph (j) of the affidavit of the DG Police, insensitivity and indifference of said official in such heinous crime renders his conduct vulnerable. We are constrained to observe so, despite repeated orders by this Court, DG Police Madhya Pradesh since the year 2020 has maintained blissful silence for the reasons best known to him. We may hasten to add that complaints of inaction or polluted action by the police force are invariably brought to the notice of this Court in different jurisdiction. We take strong exception to the functioning of the Police force in the State particularly, in the Guna district relevant to the facts of this case.

We are also constrained to observe that facts on record suggest that **"There is no one to Police the Police Man in this State"**. Safety and protection of public at large against invasion on their personal liberty and property appears to be seriously jeopardized.

Before proceeding further, we find it expedient to call for the Inspector General of Police on **08/07/2022** and thereafter, if circumstances so warrant, possibility of personal appearance of the DG Police is not ruled out.

List this case on **08/07/2022**.

Copy of the order be supplied to Shri Raghuvanshi, Additional Advocate General free of cost for official use and onwards transmission.

**(ROHIT ARYA)
JUDGE**

**(MILIND RAMESH PHADKE)
JUDGE**

vc

