

Prakash Singh & Others

v.

Union of India & Others

(Supreme Court Of India)

HON'BLE CHIEF JUSTICE MR. S.H. KAPADIA HON'BLE MR. JUSTICE
AFTAB ALAM HON'BLE MR. JUSTICE K.S.P. RADHAKRISHN

Writ Petition (Civil) No. 310 Of 1996 With No. 417 Of 2010 & 42 Of 2011 |
11-04-2011

1. With regard to the implementation of Direction 4 under the heading “Separation of investigation”, given in Prakash Singh v Union of India (2006) 8 SCC 1 : (2006) 3 SCC (Cri) 417), the learned Solicitor General seeks time to take instructions on the question of functional segregation of the Investigative Wing from the Law and Order Wing of the police. Today, as the situation stands, there is no such segregation. Briefly, the suggestion is that the investigation police should be separated from the law and order police and the former should be insulated from any extraneous influence which is the paramount need today to sustain the principle of rule of law.

2. Similarly, with regard to Directions 2 and 3 under the headings “Selection and minimum tenure of DGP” and “Minimum tenure of IG of Police and other officers” respectively, one week’s time is sought by the learned Solicitor General to take instructions. Accordingly, the matter shall stand over for one week.

3. Place this matter on 18-4-2011.

I.A.No..... of 2011 (filed on behalf of the State of Karnataka) in WP (C) No. 310 of 1996

4. The interlocutory application is dismissed as withdrawn. We have made it clear to the learned counsel for the State of Karnataka that the subject-matter of

this interlocutory application has nothing to do with the implementation of the directions given by this Court in Prakash Singh v. Union of India. (Supra)