

**HARI CHAND**

**ADVOCATE**

ਹਰੀ ਚੰਦ

ਵਕੀਲ

**PUNJAB & HARYANA HIGH COURT**

ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ

H. NO. 2299,

SECTOR 44-C, CHANDIGARH-160045

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ਮਕਾਨ ਨੰਬਰ -2299

ਸੈਕਟਰ 44- ਸੀ

ਚੰਡੀਗੜ੍ਹ 160045

**DATED: 18.7.2019**

TO,

1. Director General of Police Punjab, Punjab Police Headquarter, Sector 9, Chandigarh.
2. Director General of Police Haryana, Haryana Police Headquarter, Sector 6, Panchkula.
3. Senior Superintendent of Police, Chandigarh Police, Sector 9, Chandigarh.

Subject:- Notice before filing Contempt Petition against you, for circumvention of the directions issued by the Hon'ble Supreme Court of India in W.P. (Criminal) 68-2016 (Youth Bar Association of India Vs. Union of India and others) decided on 7.9.2016, directing all the States and Union Territories to upload the FIRs (except in sensitive cases in cases sexual harassment of woman and children) within 24 hours of registration of such FIRs.

**BY E-MAIL**

Dear Sirs,

The aforesaid direction were issued by the Hon'ble Supreme Court of India, directing all the States and Union Territories to upload the FIRs (except in sensitive cases, in cases sexual harassment of woman), on the official website of the department within 24 hours of the registration of such FIRs. In this regard, I have to state as under:-

1. That a perusal of the observation-cum-direction made by the Hon'ble Supreme Court of India in Para 6 (d) of the aforesaid judgment shows that purpose of uploading an FIR within 24 hours of its registration, on the website, is that the accused or any person connected with the same can download the FIR and file appropriate application before the Court as per law for redressal of his grievance. However, a perusal of the website of Chandigarh Police shows that record of FIRs, although uploaded on the official website, the accused or any person connected with the said case can not down load the FIR until and unless he knows the number of such FIR. Thus, a person, who is apprehending his false implications in an FIR, at the instance of some

complainant, cannot know about the filing of the FIR against him unless he knows about the number of such FIR. However, the manner in which the official record of FIR has been uploaded on official website of Chandigarh Police/Haryana Police/Punjab Police, shows that it is totally in contravention of the letter and spirit of the directions issued by the Hon'ble Supreme Court in the aforesaid case.

2. That underlying purpose and object of the aforesaid directions issued by Hon'ble Supreme Court of India appears to be that there should be transparency in the matter of registration of FIRs and the element of corruption that is prevalent in regard to the furnishing of copies of FIR to the accused, or to any other person connected with same, may be averted. However, the manner in which the Chandigarh Police Haryana Police/Punjab Police has maintained the record of FIRs and uploaded it on its official websites, defeats the aforesaid object. Otherwise too, the manner in which the Chandigarh Police Haryana Police/Punjab Police has uploaded the record of the FIRs on their official website, does not serve any public interest, for the reason that in case a social activist wants to know about any FIR registered against any public man, or officer, he would not be able to do so, in view of the nature and manner of maintenance and uploading of records of FIRs on official websites of the Police.

3. That in my considered opinion, the record of FIRs should have been uploaded by the Chandigarh Police on its official website in such a manner that all the FIRs registered (after the date of judgment i.e. 7.9.2016) could be uploaded date wise, and also serial-wise on the basis of FIR number and date of its registration, so that the object of the directions issued by the Hon'ble Supreme Court of India in its aforesaid judgment vide its order dated 7.9.2016, may be served.

I would therefore, call upon you to re-arrange the records of FIRs , and to upload the same on your official websites, in the order of number of FIR and its date of registration, so that any person, who wants to scrutinize the record of FIRs from the official website, may not face any hurdle, even if he does not know the number of FIR and wants to know about any such FIR registered against any public man, any don/mafia, or anybody else.

In case the needful is not done by you within a period of one month from the date of receipt of this notice by you, in that event, I shall be left with no other alternative except to file appropriate proceedings before the Hon'ble Supreme Court of India, or in the Hon'ble High Court of Punjab and Haryana at Chandigarh, for redressal of my aforesaid legitimate grievance, which proceedings would of course be at your risk and cost.

Meanwhile, please acknowledge receipt of this notice.

(HARI CHAND)  
ADVOCATE