

**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

WP No. 55 of 2026

(HARSH Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Appearance :

Shri Sudeel Yadav- Advocate for the petitioner.

Shri Harish Singh Rathore- G.A. with Shri Kushagra Singh- Dy.

G.A. for the State.

*Shri Shailendra Singh, S.I. Police Station Lasudiya, Indore
present in person.*

Reserved on : 09.04.2026

Pronounced on : 22.04.2026

This petition having been heard and reserved for orders, coming on for pronouncement this day, the court passed the following:

Heard.

2] This petition has been filed by the petitioner under Section 226 of the Constitution of India, seeking the following reliefs:-

“That, the Petitioners craves indulgence of this Hon’ble Court for granting the following relief;

1. Issue a writ of mandamus directing Respondent No.1 &2. to preserve and produce the CCTV footage of Police Station Lasudiya for the period 29.12.2025 between 1.30 A.M. to 4.30 A.M. , along with the CCTV footages of Shreenath Restaurant and Jain Restaurant.
2. Issue directions for registration of FIR and departmental enquiry against the police constables Nagendra and Utkarsh posted at police station Lasudiya involved in assaulting the Petitioner.
3. Award compensation to the Petitioner for custodial violence and violation of fundamental rights;
4. Pass any other order(s) deemed fit in the interest of justice.”

3] The petitioner is aggrieved of the custodial violence meted out to him while he was apprehended by the Police in the wee hours of 29.12.2025.

4] In brief, the case of the petitioner is that on 29.12.2025, at about 1:30 a.m., when the petitioner was returning to his room from A.R. Hotel, Mahalaxmi Nagar, he stopped at Shreenath Restaurant, near Bombay square, Indore to have tea, and when the petitioner asked for the bill, the shop owner charged double the usual amount, to which the petitioner objected and an altercation ensued. Aggrieved, the restaurant owner called the police, upon which two police constables of P.S. Lasudiya, namely- Nagendra and Utkarsh reached the spot and without any reason started assaulting the petitioner and his friends—Anuj Namdev, Ashish Namdev and Sachin Malviya with a plastic pipe. When the petitioner resisted the assault and attempted to record the incident on his mobile phone, both constables forcibly snatched his phone. Thereafter, they called Dial 112 and took the petitioner to Police Station Lasudiya, where the petitioner was again brutally beaten for about one and a half hours, and his moustache and hair were pulled, causing multiple injuries and humiliation. The said police personnel further deleted the video recordings of the assault after extorting money from the petitioner, and subsequently released him without any lawful procedure or documentation. The present petition is filed seeking action against the delinquent officers and preservation/production of CCTV footage of Police Station Lasudiya and the CCTV footage of private cameras installed at Shreenath restaurant and Jain Restaurant to establish the acts of violence committed upon the petitioner.

5] Counsel for the petitioner has also submitted that as per the CCTV footage of the police station provided by the respondent/State, it is found that during 2:41 am to 2:45 a.m., the petitioner was taken to such area of the Police Station, in which there was no CCTV camera installed, and the footage also reveals that in the background some voices can be heard of beating a person, whose voice can also be heard.

6] A reply has also been filed by the State denying all the allegations, and emphasizing that there is nothing on record to suggest that the applicant was given a beating in the Police Station while he was brought in, on the allegations of driving under the influence of liquor, and the applicant's mobile phone has also not been of any help to him, as according to the Forensic lab report, no such deleted files have been found, which according to the petitioner could have substantiated his case that he was assaulted in the Police Station by the police personnel.

7] Attention of this Court has also been drawn to the CCTV footage of the Police Station to submit that the petitioner was never assaulted in the Police Station. In rebuttal to the petitioner's contention that he was taken out from the CCTV coverage of the Police Station for some time and was assaulted, it is submitted that the petitioner was only taken to a different area where the CCTVs are not installed, as the area is reserved for women police officer, and thus, it is submitted that the benefit of such non-availability of CCTV footage for any particular time span cannot be taken by the petitioner.

8] Heard counsel for the parties and perused the record.

9] From the record, it is found that this Court while hearing this petition had also passed an order on 29.01.2026, expressing its concern regarding the non-installation of CCTV cameras in the police station, and also, as to why the body cams have not been installed, despite such concern being raised by this Court at an earlier point of time, while passing the order in M.Cr.C. No.34624/2024 dated 19.09.2024 which is also quoted in its proceeding dated 29.01.2026 in this petition. The said order dated 29.01.2026 reads as under :-

“1] The petitioner is aggrieved by the inaction on the part of the respondents to take proper action against the police constables of Police Station Lasudiya, Indore who, according to the petitioner, assaulted him on 28.12.2025 at around 1:30 A.M. in the night. Although, the petitioner has filed his photographs showing the injury suffered by him in the assault, however, there is no CCTV footage

available in which the incident can be said to have been captured, despite the fact that the incident took place in the heart of the city of Indore.

2] At this juncture, it would also be germane to refer to an earlier decision rendered by this Court in the case of **Nirmal Vs. State of M.P.** in **M.Cr.C. No.34624 of 2024 dated 19.09.2024**. The relevant paras of which read as under:-

"9] This court is also of the considered opinion that the time has come when the State Government should also give a thought to providing body cameras to police personnel, at least to the police force of some of the police stations in major cities, in addition to increasing the number of police personnel.

10] With the aforesaid directions, the present M.Cr.C. stands disposed of.

11] Let a copy of this order be sent to the Director General of Police, M.P./Senior Superintend of Police, Radio, Bhopal for its proper compliance and for further communicating the gist of the same to all the police stations of the State."

3] It is apparent that no serious thought has been given to the aforesaid order.

4] In such circumstances, counsel for the respondents/State is directed to take proper instructions in the matter and also keep the Deputy Commissioner of Police, Zone - II, Indore present in the Court and apprise this Court as to why the police force in Indore cannot be equipped with body-cams or body-cams cannot be installed on the uniforms of all the police personnel in Indore so as to avoid such an unpleasant situation, the concern regarding which was raised by this Court more than a year ago.

5] Let the matter be listed on 25.02.2026."

(Emphasis Supplied)

10] Pursuant to such order, a detailed reply has also been filed by the State, wherein, it has been stated that presently, only 442 body worn cameras have been distributed to the police stations and also to the traffic police units within the Indore Police Commissionerate. Counsel for the State has submitted that only two such cameras have fallen to the share of Lasudiya Police Station, and on a query made by this Court, it is informed that such cameras are worn only at the time of traffic violations. Thus, it is also not known as to how these cameras are being utilised to avail their maximum benefits.

11] On a close scrutiny of the reply and the documents filed therewith, this Court is of the considered opinion that these body worn cameras, which can be proved to be extremely useful for the Police as

also for the accused persons, are not being used to any fruitful purposes, and are kept in the police station only for their namesake. It is the instances like these when the importance of such gadgets is realized. Although, in the present case the petitioner was allegedly given only a beating by the police, the photographs regarding which have also been filed on record, however, it is surprising that not a single CCTV footage or any other footage is available on record to substantiate the petitioner's contention of the police violence. In the reply also it is admitted that the petitioner was taken to some *inner room* of the police station and during such period the petitioner was away from any CCTV camera installed in the Police Station.

12] It is apparent that the State has not given a serious thought to the direction issued by the Supreme Court from time to time, mainly in the case of *Nirmal (Supra)* regarding installing of CCTV cameras in all the Police Stations in the State of M.P.

13] This Court is of the considered opinion that non-availability of such visuals of an incident which took place near and also in the police station, is not natural and is enough to draw an adverse inference against the delinquent officers, which also substantiates the narration of events by the petitioner supported by the photographs of the injuries. It is also found that the statements of the petitioner's friends were also recorded in the brief enquiry, who have also admitted that the petitioner was assaulted by the police personnel. In such circumstances, looking to the limitations of jurisdiction exercised by the High Courts under Article 226 of the Constitution of India, this Court deems it proper to direct the respondents to:-

(i) pay the petitioner a compensation to the tune of Rs.10,000/- for all the hardship which he was subjected to, at the Police Station, Lasudiya, Indore.

(ii) to preserve the record of this case including the CCTV footages of the Police Station in accordance with and up to the time as provided in the present SOP issued in this behalf, so that the same can be produced in a court of law, if the situation so arises.

14] Be that as it may, so far as the detailed reply filed by the State is concerned, in which it is stated that out of the 442 body worn cameras provided to the Indore Police Commissionerate, only two have been allotted to the Lasudiya Police Station which too are used only while handling traffic violations, which, in the considered opinion of this Court is pathetic and nothing but a criminal waste of public resources. There is also no SOP provided to use and monitor such body worn cameras. There appears to be complete ignorance or conscious disregard on the part of the officers concerned in adopting the new technology and to keep up with the time, which appears to be only to push under the carpet one's own shortcomings and an intention to continue to act in the same arbitrary and oppressive manner.

15] Also, during the pendency of this petition, other cases of the same nature (police atrocities) have also come to the notice of this Court, thus, in order to avoid, or at least reduce such unpleasant instances in future, without waiting for major mishaps like custodial deaths or violence to happen again, either in the Police Stations,; or outside police stations, in the presence of the police personnel, in order to ensure the public safety and also the safety of the police officer against whom complaints are made in bad faith by the unscrupulous persons, this Court finds it expedient to direct the State as under :-

*1. State Government is directed to ensure that except those areas which cannot be covered under the CCTV camera, like toilets or changing rooms, in all the Police Stations in M.P., an **accused or a complainant shall not be***

taken to such areas of the police station which are not covered under the CCTV cameras.

2. *It is also directed that to begin with a small step, all the police personnel in at least top five Police Stations (in registration of crimes) out of the thirty-five odd Police Stations at the Indore Police Commissionerate be provided with the body worn cameras within a period of **nine months**, and an SOP be also prepared to wear such cameras while on duty along with the uniform.*

3. *State Government is also directed to provide all the necessary paraphernalia and infrastructure to the Indore Police Commissionerate as required to implement the above directions issued by this Court.*

16] Let the aforesaid order be positively complied with within the aforesaid period of nine months, and its compliance report be furnished on the next date of hearing before this Court.

17] Let the matter be listed on **04.01.2027** for further orders.

18] Let a copy of this order be sent to:-

(i) The Principal Secretary, General Administration Department, State of Madhya Pradesh, Bhopal;

(ii) The Secretary, Department of Home (Police), Bhopal;

(iii) The Director General of the Police, M.P Bhopal, and

(iv) The Commissioner, Indore Police, Indore for necessary action and compliance.

(SUBODH ABHYANKAR)
JUDGE