

# LEGALFOXES LAW TIMES

## POLICE BRUTALITY

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The researchers by this research paper aim at providing a comprehensive study of the facts and trying to focus on some very important and vehemence issues occurring in our country. India is a diversified state with a lot of major issues revolving around it. Among them, Police Brutality is one of the most prevalent in the list nowadays. Generally, citizens of India expect and hope for Protection from unlawful activities happening in our society, and the Police force is the word that we use as our savior but What if cops only started abusing their citizens. What if they start torturing their citizens(like savior only eaters) By using excessive use of their powers that provided by Paper of law to them to protect the state people and maintain harmony in the state. This is what India is facing nowadays in the current situation. Yes, the Gandhian nation is facing this brutality. If we talk about Police brutality then it is described as the force used by the Police officers generally to punish convicts, criminals, and maybe sometimes innocents. Excessive and unnecessary use of force amounts to misuse of their Powers, which is also a violation of Human rights. The powers are provided to curb crime and to maintain harmony in the state. The Youth of India get beating simply because they raise their voice against the political side or Police force. The Most drastic thing happening in society is that the people, the only citizen of India is praising this heinous crime. They shower flowers on Cops who use Unnecessary force to beat minorities or Dalit because they think that the Judiciary is not capable of justice and so now simply police force should take this charge. This kind of gesture showed by people also encourage them to use inhuman activities.

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## INTRODUCTION

Police Brutality refers to excessive use of force or excessive use of powers by the police force to enforce certain laws in society. It is also sometimes that officers of law enforcement bureau also use excessive not to just enforce laws but also to threaten people of the country mainly by their misconduct And improper behavior against the citizen of India or layman of India. We can also be called a violation of civil rights. This is a flagrant violation of human rights that should not be tolerated in any civilised society and also people and citizen of country India have their respective rights to avoid these grievous hurt from the Police force side. Sometimes Brutality leads to death and also serious injuries and mental trauma to Human health. According to article 21 of the Indian constitution, "No person shall be deprived of his life or personal liberty except according to a procedure established by law." This is the "procedural protective Magna Carta of life and liberty." "Nowadays Police brutality also leads to Custodial deaths and this ratio is increasing day by day and this ratio is somehow threatening the freedom of the people of the country Because one raised voice and they started thrashing people and they nowhere left college students in our country. They also use excessive force on them when they protest against some unconstitutional act or bill passed by the house and when they raise their voice against the government. Maybe they get their authority from the government itself to use their force in an ill manner. Also when we talk about brutality the most highlighted category that came into the mind of the people of the nation is prisoners and we can say they are also not safe under Police custody. Most of the death of the prisoners are just because of ill-treatment of the police officials and also Because of ill medical Treatment that they provide inside the cell. Somehow because of the threat of police brutality or police misconduct people are unable to express their beliefs and their personal opinion in front of the government or the Police officials or executive power of our country. This someway also leads to infringement of civil rights and also Human rights to some extent. In a country like India where the letter of the constitution speaks about the Democracy, where people are free to express their desire, Opinion and also have the right to protest against the government or any supreme authority. But nowadays the right to protest is considered as terrorist activities by some of the people of the country and also leaders, and then after effects are much harsh. This is very hard to realize that Our Father of Nation gave a message of peace and to maintain harmony on this soil only and he said no to Violence.

## RESEARCH METHODOLOGY

In keeping with the doctrinal research process , the research work will be capped and will depend on both primary and secondary sources. It is descriptive and will also be descriptive and will adopt an empirical approach , i.e. the interpretation of the evidence will be used to draw a conclusion based on rational reasoning. This study will aim to examine the prevailing format and create a relationship with the format of the subject.

## OBJECTIVE

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- Origin of the concept of Police brutality
- Misconduct of police against citizen of India
- Cases Related to Police Brutality
- Weak Judiciary or not?
- Brutality During Covid-19 Pandemic
- CHRI REPORTS
- Importance of Police control Authority (PCA)
- NCRB Reports

### ● Origin

<sup>3</sup>The police violence has long been present in our society. There are several instances where we saw police use their authority in wrongful terms, such as the case of Calcutta where the release of terror by the police was seen during the 1970s for opposing student movements, another case can be of Bhagalpur during 1979 and 1980, where police used their unlawful authority by placing 31 blinded people under trial by using acid to kill their eyes. There are so many laws passed in

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<sup>3</sup><https://www.barandbench.com/columns/police-brutality-a-long-legal-history>

parliament that police brutality persists in India as a major issue. It was discovered by going through the records that 427 people died between the years 2016 and 2019. Nonetheless, police brutality itself is normalized in our society. <sup>4</sup>The 2019 police reports in India show us that police being violent is justified by the most. As they often believe, by using their strength of violent means to obtain extra-judicial convictions, it is always justified. One out of two people was often shown to ignore police brutality. Not only this, but Bollywood also plays a major role in our society, and mainstream culture can be classified under their unlawful power, where they also somehow encourage police brutality against victims to get a confession out of them. This wants to encourage people's entertainment to appear to judge both the self-image of many police officers and regular people. <sup>5</sup>Police brutality, as a result, wins recognition. Many people assume that, for their gain and desires, police brutality is only present because of politicians. But, still, it's real, but not, because it's not just about being affected by leaders, but even being affected by our country's politics. They have more control than most, more privileges, more incentives, and values that they can use where they believe their behavior is warranted, unlike most other people.

Imagine having a situation where, without considering any human, there is a person who can use his extreme power granted by the government to control the people by using any means of violence. No regular person without authority may refuse his choices and have to comply whether lawful or unlawful. They can do whatever they want. No matter what they learned in their lives, one who can limit the freedoms without understanding political and moral responsibilities does not matter. This is what the police are and the question of violence by the police. Know one thing: a policeman is a practicable offender without adequate political and moral education. Indeed, with their permission, they have the right to bear arms and can kill people, only one thing is different between policemen and killers, unlike them, our law still justifies and approves their acts. Therefore, as part of the preparation to become police officers, we need a culture to impose the value of education before we do so, no matter how much legislation is passed for police brutality, this is not going to end.

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<sup>4</sup><https://sabrangindia.in/article/indias-dark-history-custodial-abuse>

<sup>5</sup><https://www.youthkiawaaz.com/2020/01/on-police-brutality-a-spectre-haunting-the-nation/>

- Cases

There are many cases that tells us about the police brutality and some of them researcher going to mention below for the reference and to have eye of the readers :

Researchers want to throw light on a very Burning case of police brutality that happened recently during the lockdown period on June 19. **It was a horrific case of police violence faced by a son and his father who lived in Tamil Nadu, a southern state.** They had their Mobile shop in the city of thoothukudi and despite lockdown guidelines, they kept their shop open after 8. So they were taken to Sathankulam Police Station for this crime, where they were reportedly beaten, stripped naked, and sodomised. Friends of the men, who were attorneys, were denied entry to the police station. They heard distraught wails from behind the closed doors of the station for almost three hours as the two men were tortured by the very same powers that were meant to protect them. Benicks was lying nude on the floor in a pool of blood, according to eyewitnesses who were present inside the police station and friends waiting outside the station who managed to peer through an open door after 11 p.m., too horrifying and traumatic for the family members and Duo's near and dear ones. It was believed that the police pressed the Doctors and the medical staff of the hospital to declare both son and the father as fit But the facts were that they both were bleeding and were not in a condition to put them back into Police custody. Before the district magistrate, the medical certificate where it was written that they are fit to take them on remand was submitted to get an official nod to keep both son and father in gaol. Jeyaraj and Benicks became seriously ill on June 22 and were admitted to a hospital, where they died a day apart. The police authority will not be able to answer their brutality on two citizens of the country and I criticize their action against those two men because their so-called crime was not heinous. That could be sorted by imposing a heavy tax on the duo or something related to law but no the police once again used excessive force which results in the desolate of a happy family. When Deceased said words, "We will not survive another day," humanity lost. A few days later, father and son died hours apart, from significant internal injuries.

<sup>7</sup>In 2006, India's high court issued a historic order instructing central and state governments to comply with a collection of seven instructions to kick-start police reforms in the landmark Prakash Singh vs Union of India case. The appointment of a Police Complaints Authority (PCA)

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<sup>6</sup><https://www.nytimes.com/2020/08/20/world/asia/india-police-brutality.html>

<sup>7</sup>[https://www.supremecourtcases.com/index2.php?option=com\\_content&itemid=135&do\\_pdf=1&id=21218](https://www.supremecourtcases.com/index2.php?option=com_content&itemid=135&do_pdf=1&id=21218)

was chief among them, where any citizen could lodge their complaints or police behaviour grievances. But a Commonwealth Human Rights Initiative (CHRI) study found that no state has completely complied with the order of the Supreme Court. The governments have not only “either blatantly rejected, ignored, or diluted significant features of the directives” but have also<sup>8</sup> disregarded “the Court’s scheme in terms of composition, selection process, and functioning of the PCAs.”

- **Lack of implementation of Police Complaint Authority**

<sup>9</sup>With the increase in Misconduct by the police official and the growing demand for police accountability, the authority like the Police Complaint Authority is in need. It should be regarded as one of the important authority to add on to curb abuses by the police authority. There should be some supreme authority to bind Police authority to exercise excess of cruel force by them towards the common citizen of India. There should be some authority to whom the common people of India can share their personal experience about the cruelty or misconduct of the police. **Police Control authority(PCA)** should be there for overall changes in police behavior and performance. This should teach them correctly where they need to use power or force and where Not to. Now according to us, This is very important, and with the implementation of the PCA, this would be possible very easily. The Police Complaints Authority was to be established at the state and district levels following the Judgement by the 2006 Supreme court of India, in the *Prakash Singh and Ors. v. Union of India and Ors. AIR 2006 SCC 1* Case, in response to the huge volume of complaints against the police and the endemic lack of accountability. In 2006, the SC ordered that each state should set up police complaint authorities at the level of the state and at the level of the district. The Order was one of seven that the Court wanted to deal with all the big ills that today make the police ineffective and delinquent. Over the past five years, if completely followed and honestly enforced, the directives of the Court could have transformed the image of the police from a feared and distrustful power into an indispensable and helpful hand of the people of India to achieve their fundamental rights without harm. But at the time, unfortunately, it was not enforced.

- **National Crime record Bureau Report statistics**

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<sup>8</sup><https://indiankanoon.org/doc/1090328/>

<sup>9</sup><http://www.nipsa.in/>

<sup>10</sup>The National Crime Record Bureau (NCRB) has reported that about 54,873 reports were lodged in 2009 against police officers. 2 Of these, 191 allegations include numerous serious violations of human rights, including extorting, torture, recording false cases, failing to take action, causing women to be outraged and committing crimes against Scheduled Castes and Scheduled Tribes. <sup>11</sup>The NCRB estimates that in 2009, there were twenty-five deaths in police custody and fifty-nine deaths in police custody without any judicial punishment. Without Judicial sanction, it was illegal because according to law, it is necessary to present the culprit in front of a magistrate within 24 hours and it will be illegal if they don't do the same and this is what happening in India. It also leads to custody killings, shockingly, in possible cases of unlawful custody by the police there were even higher numbers of deaths.<sup>12</sup>.

<sup>13</sup>Another collection of data on allegations against the police is provided by the National Human Rights Commission (NHRC). The Commission's latest available annual report is the 2006-2007 report. "It shows that the NHRC has reported 119 cases of death in police custody, 301 cases of police encounters, 760 cases of unlawful arrest and detention, 15 cases of enforced disappearances, 489 cases of" false implication, "four cases of custodial abuse, 89 extrajudicial killings, 2,682 cases of police inability to take the requested action, and 3,740 cases related to" other These represent more realistic complaint numbers for certain categories than the NCRB figures, because complaints can be submitted to the NHRC free of charge. For example, in 2009, NCRB registered only two cases of custodial rape, while NHRC received 10 cases, as described in its Annual Reports for 2006-2007. NCRB statistics show the low level of police accountability in India. Of the overall complaints reported against police officers in 2009, just about 46 percent of the complaints concerned departmental, magisterial and judicial inquiries. 51.2 percent of the overall charges lodged against police officers went un-investigated because they were found to be untrue or simply unfounded. As before, there is little clarification as to the measures taken, if any, before it was determined that these charges should be resolved. In 2009, 1,279 cases were submitted for trial against police officers.<sup>6</sup> Of these, 132 cases were either withdrawn or disposed of, or 10 percent, while 142 trials were held. Of these, 99 police staff, or 70%, were

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<sup>10</sup><https://thediplomat.com/2020/07/why-cant-india-end-police-brutality/>

<sup>11</sup><https://timesofindia.indiatimes.com/india/why-india-needs-to-go-back-14-years-to-tackle-police-brutality/articleshow/76763404.cms>

<sup>12</sup><https://ncrb.gov.in/>

<sup>13</sup><https://www.thehindu.com/>

acquitted, while 43 police staff, or 30%, were convicted. There is no reason for the tremendous imbalance of the high acquittal rate and the low conviction rate of police officers.

● **Excessive use of force by Police authority during Covid-19 period of time**

<sup>14</sup>In the time from 25 March to 30 April 2020, <sup>15</sup>CHRI compiled a list of 15 deaths after police action. This include deaths in police custody as well as deaths after suspected public police beatings / canings, where either victims have succumbed to injuries or committed suicide. We, as the citizen of India also know this very well that it was difficult and very challenging for the police authority to tackle people mischievous and also unreasonable reasons to go out and increase the chances of spreading this pandemic more but this doesn't mean that they will start using unreasonable force and also start charging some of the brutal forces on the innocent people in the society. <sup>16</sup>Yes, this is not clear that Authority using some strict action on the citizen who just goes out for nothing but also uses excessive force on the people who don't even know what wrong they did. It was very clear that during the lockdown period time, many violent e behavior videos of the police came out and this is very heartbreaking when we realized that people are appreciating this brutality of Authority. Researchers also heard several times the appreciation of common people towards this brutality.

<sup>17</sup>In some cases, It was not at all compulsory to use this kind of excessive force on innocent people of the country. If a father of a newborn baby is going to get Milk for his infant child because she was starving, then according to me this is a reasonable Reason and according to Human rights Reports, you cannot use this brutality on Father who was not violating any laws but only saving his child. This is a very Initial and Proper Reason. There are many more cases that we observed and read in the newspaper which derive the amount of excessive use of force of Authorities. They also used where it was not at all required. As we all know the case of *Sathankulam Police station* where a son and a father were badly thrashed by Kerala police. I want to ask every Police official who all are involved in this brutality and they killed them or we can say they murdered the only source of income of Family. The only mistake was that they keep opening their shops after lockdown period timings but this should not be ended the way Kerala

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<sup>14</sup><https://thecommonwealth.org/organisation/commonwealth-human-rights-initiative-chri>

<sup>15</sup><https://www.humanrightsinitiative.org/>

<sup>16</sup><https://www.insightsonindia.com/2020/07/31/commonwealth-human-rights-initiative-chri/>

<sup>17</sup><https://theprint.in/opinion/pov/stop-cheering-police-brutality-citizens-like-jayaraj-and-bennix-pay-the-price/450378/>



Police authority ended. Nowhere, in the guidelines of Home ministry was written that if a person kept his shop open after some time, then Murder him. As a law student, I don't think so it was written anywhere as the proper Guidelines and this is a democratic state, not a Dictator ruling the country named India. According to me, steps should be different, it was a clear cut example of Police brutality. They may ask them to strictly close down shop otherwise they gonna take action or find that they are not following lockdown guidelines and its against law. But they murdered both of them. When CCTV video of a cop beating the teenager comes to the media, another terrible police abuse event. The former lawmaker recently tweeted the CCTV videos of cops seeming to annoy a boy with autism, who could not justify why he was out during the curfew. On social media sites, this video clip went viral, causing extensive police uproar. For the teenage boy, many celebrities and politicians tweeted demanding justice. Three policemen involved in the incident have been suspended by police authorities. Their suspension, however, was for having "failed to apprehend the adolescent." Which, for the public, was rather surprising.

<sup>18</sup>Critical service providers such as medical and health practitioners, food and grain transporters and media workers are exempted, according to the lockdown guidelines provided by the government of PM Modi. But Police authorities not even exempting people from the Purchase of medical and grocers facilities too. They are thrashing teenagers and also they are not exempting Poor women who are coming barefoot, traveling long long distances without any jobs because Now because of the economic crisis people don't need them. They are helpless but moving to their respective city soo that in this pandemic situation they can be with their family members for the support and also take care of their families. <sup>19</sup>Is this right to thrash migrants who are traveling 1000 km just to see their relatives once so that they can provide some financial support to them? But I Noticed this that Authority forgot all these situations and now only remember their Duties or we can say evil duties that also lead to custody murders. Superior officials shall be held accountable under their command for the conduct of the police if the superior official has learned or should have learned of crimes, but has failed to take concrete action.

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<sup>18</sup><https://clpr.org.in/wp-content/uploads/2018/09/Police-Accountability-CLPR.pdf>

<sup>19</sup><https://criminallawstudiesnluj.wordpress.com/2020/04/30/law-against-police-brutality/>

***“Law enforcement officials shall respect and protect human dignity, and shall maintain and uphold the human rights of all persons”***

<sup>20</sup>Some similar violent actions committed by the police when migrant workers attempted to come to their many villages, taking AN arduous inter-State ride. Old folks were ruthlessly overwhelmed in many areas. Throughout the various stages of the ongoing detention, the high-handedness displayed by the police also led to a petition being lodged with the State Human Rights Commission of Tamil Nadu. The petition requested the development of a forum for redressing complaints to comment on the excesses committed by compliance personnel. In March, the Commonwealth Civil Rights Initiative released a group of pointers for officers, taking an important reading of police brutality, in no uncertain terms banning them from victimisation force on citizens who breach the laws of imprisonment. The Bengaluru Police later set a precedent in this regard by divesting the policemen of batons and instead of engaging in the use of convincing methods of imprisoning them visibly.

◆ **Several cases where police authority proved that they are above the law and the Judiciary of our country India .**

<sup>21</sup>"The thing we all know is that before the Supreme Court, the government of Uttar Pradesh denied that the gunning down of history-sheeter Vikas Dubey was a " fake encounter. Day by day, the issue of encounter killings in India is growing. Since the Bharatiya Janata Party won the state election in 2017, 119 suspects have died in so-called encounters in the state, according to records. Most recently, the Uttar Pradesh police killed 56-year-old gangster Vikas Dubey in a clash on July 10, with over 60 unlawful charges against him. This police version has already been seen in a similar case that took place in December 2019 in Hyderabad. Four men were charged with rape and murder in that case and were shot dead by the police as they attempted to grab and run. Public feelings in support of police incidents were already present in almost both cases, even though they still drew some criticism from the Human Rights Community. After the Hyderabad encounter, people were so relieved that they showered rose petals on the police

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<sup>20</sup><https://www.hindustantimes.com/india-news/cop-killed-gangster-vikas-dubey-in-defence-up-police-tells-sc-claims-encounter-was-genuine/story-96otuADFTSSfXpvu6cNE4M.html>

<sup>21</sup><https://www.freedomgazette.in/2020/06/police-brutality-is-widespread-and-celebrated-in-india/>

officers' shoulders. When the general public and politicians in power support and appreciate these types of extrajudicial killings, it can not come as a surprise that the police conduct these types of operations with disregard for the law.

<sup>22</sup>This behavior of taking the law into their own hands is used as a medium to advance their policies in favor of political parties and politicians in power. Let's get back to the spotlight-Vikas Dubey, once again, when the gangster was not involved in any of the murders, politicians asked him for photography and help in the upcoming elections. However, he was also preparing to run in state elections in 2022. This alliance between politics and Dubey offered invisible immunity from the law, and he also shot down eight police officers before his death when they came to arrest him. This tip-off came from one of the police officers themselves, too. Instead of being killed in so-called encounters, if Dubey was present behind the judicial process, there could be scarce valuable and delicate pieces of information that could have been disclosed. In cases such as this one, meetings are usually aimed at protecting important pieces of information about powerful personalities and concealing news about public interests. Encounter killings are an ultimate sign of the institution's incorrect act of violence. Someone is performing to have to take responsibility if the state wants to preserve its landed ethical raised territory.

The truth is that there has been no trial against Vikas Dubey in Uttar Pradesh, headed by different political bodies over the years. They fully protected him and made him a powerful lawmaker who did not care about the rules. And he's not the only one, either. India is full of criminals who enjoy the trust of statesmen and vice versa. This is the reason why our state agreements and Parliament have a significant number of councilors with an unjust history. The logic is easy. No governmental party in India wants to allow the police authority to go because it benefits their political and personal desires. Since Independence and in all states across the nation, this has been the usual tradition in India. The police leadership, too, has rarely disappointed to do its job impartially and restricted deals with the politicians to remain happy and keep those privileges. In any governmental or official emergency, they even guard each other.

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<sup>22</sup><https://www.thehindu.com/opinion/op-ed/licensed-to-beat-abuse-and-kill/article31609626.ece>

<sup>23</sup>The experience with Hyderabad can be summarized because the response to brutality can not be brutality. Citizens are celebrating the killing of four suspects in a December 6 meeting as they feel justice is being given to them. Nothing could be extra from reality. But with this incident, we have proved and clearly stated that we do not need the rule of law. We can hand over these things in hands of police officers and do whatever they think is correct. Then we, the public, will be reassured that we are secure now, and go about our lives as if all is perfect. The system of criminal justice will now be called the system of police justice. We also require to suggest inquiries concerning whether the illegal justice system is not appropriate to address fairness to sufferers and the society at large. The statements are, sadly, not very easy. Complicated issues claim clarifications; short cuts clearly will not do. When we speak about the family reaction of the victim, her mother said she is so pleased and fulfilled with this kind of justice done for her daughter and they deserve what they did. She had never felt that justice would prevail, and she added that she wanted the sexual harassment and rape law to be more comprehensive. She said, "Men should be afraid to even look at women-for they will be punished." Other concerns that normally come up in our minds may include if we should trust the story of the police if we know that the police have done their job correctly, how do we know that the police will not do this again to others, how do we know that it deters crimes against women and what should be done instead?

◆ **Why Police brutality praised by the common citizen of the country and specially by woman in the society .**

<sup>24</sup>We came across many cases where it was displayed by various newspapers as well as news channels that citizens of the country celebrate encounters by police personals and also brutality they do against victims and also sometimes convicts. Citizen of the country celebrated Hyderabad encounter in a very festive way as if some festival is been celebrated whole out country and when reporters asked them that why they are happy and over-enthusiastic in this people replied that whatever Hyderabad police did, they did the best thing for the woman of society and country India because judiciary will not be able to do this kind of justice to the

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<sup>23</sup><https://qz.com/india/1826387/indias-coronavirus-lockdown-brings-police-brutality-to-the-fore/>

<sup>24</sup><https://www.inventiva.co.in/stories/tamanna/covid-19-lockdown-dreadful-cases-of-police-brutality/>

victim and her family. The same thing happened when in Uttar Pradesh, Police officials gunned down Vikas Dubey and claimed that they did this because he was trying to escape and also opened fire on them. UP police said that when he opened fire at the special task force team that was chasing him when he tried to escape while being taken to Kanpur from Ujjain, Vikas Dubey was killed in an encounter.<sup>25</sup>In this case, also it was nowhere Proved that the encounter was fake and always there will be a question that what happened to Vikas exactly. Did he tried to escape or it was just a lame fiction story a police officer made just to escape from the inquiry. This case was also a burning topic and catches the whole country attention that what exactly happened that day and this killing was also celebrated by people and the reason was the same by a citizen of a country that is time consumption by the court and also court is biased as they support criminals because Judges are pressurized by politicians and also some politicians openly support these criminals and it was also mentioned in the report that this heinous criminal who killed 8 policemen was going to contest loksabha 2022 election and this was the proof that politicians also supported him fully and that's why people don't trust politicians and judiciary of the country. They think that the judiciary doesn't act because of politicians but they forgot that the judiciary is an independent body and also no one is having authority in this entire world to question judges about their decisions. They are not answerable to anyone .they are free to pass their decisions without any fear and hesitation.

### ● **Weakness of organ of Government**

A sizable amount of Indians have lost in the judiciary within the scheme. They'd started developing a crawling pessimism towards the police and therefore the enforcement machinery of the state a protracted time agony. But now, their pessimism extends to the judiciary, as well as the best courts of the land also we can say apex court. If folks might expect that criminals would be comprehended, prosecuted, and penalized during an affordable amount of your time, they'd not therefore pronto approve of rough and prepared measures within the name of justice. By demanding the killing of the suspect, and applauding the police once the deed was done, folks have unconcealed what they extremely think about our formal scheme. These steps taken by folks are something very miserable and it is not only their fault but also the fault of organs of the

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<sup>25</sup><https://thediplomat.com/>

government who look weak in front of these unconstitutional acts done by the authorities and that's why a citizen of India started believing in Police brutality for justice. They demand harsh punishments but because of Stretching of cases and also providing dates to dates in a particular case, the judiciary in India is somehow decreased their Image and Respect because, in front of the layman, they think that now judiciary is not capable of Justice and Hence Police authorities by Direct Encounters can intervene in the kinds of stuff of Judiciary and this will be the best way possible to Punish the Wrongdoer but this is Unconstitutional, this does not come under the discretion powers of the Police authorities. We say a lot amount of cases but in no other cases, it was possible to extract truth that what happened in Kanpur-Ujjain case and also in Hyderabad case, just authorities mentioned that the convicts tried to escape and they shot them death because it was possible. It may be also because of some political agendas that we don't know but mentioning here. What if Some politicians tried to save them by killing Criminals like Vikas so that they can save themselves and he doesn't open his mouth in front of senior officials.

### ● Conclusion

Police violence is nothing more than a curse to humanity and to a democratic nation like India as well. In order to curb this problem, this is in our hands and the first step would be to make people of the country aware of their basic human rights against the police authorities. Another consideration is the introduction of the Police Control Authority (PCA) that will undoubtedly bring about dramatic improvements that will control police officials to avoid using unnecessary force against the nation's people. Senior police officers need to obtain regular warnings that their officer is cruel to the public. Judiciary should not be regarded by citizens of the country as a poor government organ, Justice is somehow late due to various reasons, but ultimately it should be administered with integrity and accuracy. National and State human rights commissions should also be set up so that they can also assist individuals to obtain their rights and also to curb this issue in the country, and these commissions should also bid on government bodies strictly for implementation because governments set up commissions, but they are not effective only because of the light actions towards these commissions. Only because the police authorities fall

under the state so that their colleague would not authorise a person to write FIR against them and no strict action is taken against them because of the absence of individual investigations. In this particular topic, the judiciary should be strict in the free state of dictators. India is a democratic country and according to this, the nation's citizens have the right to ask the government directly about the state's actions and it also gives the citizen the right to criticise whoever they elect as their representative. For this, the police should not use unnecessary force to deter or criticise people from speaking against the government. This is an individual's right and no one can curb it.