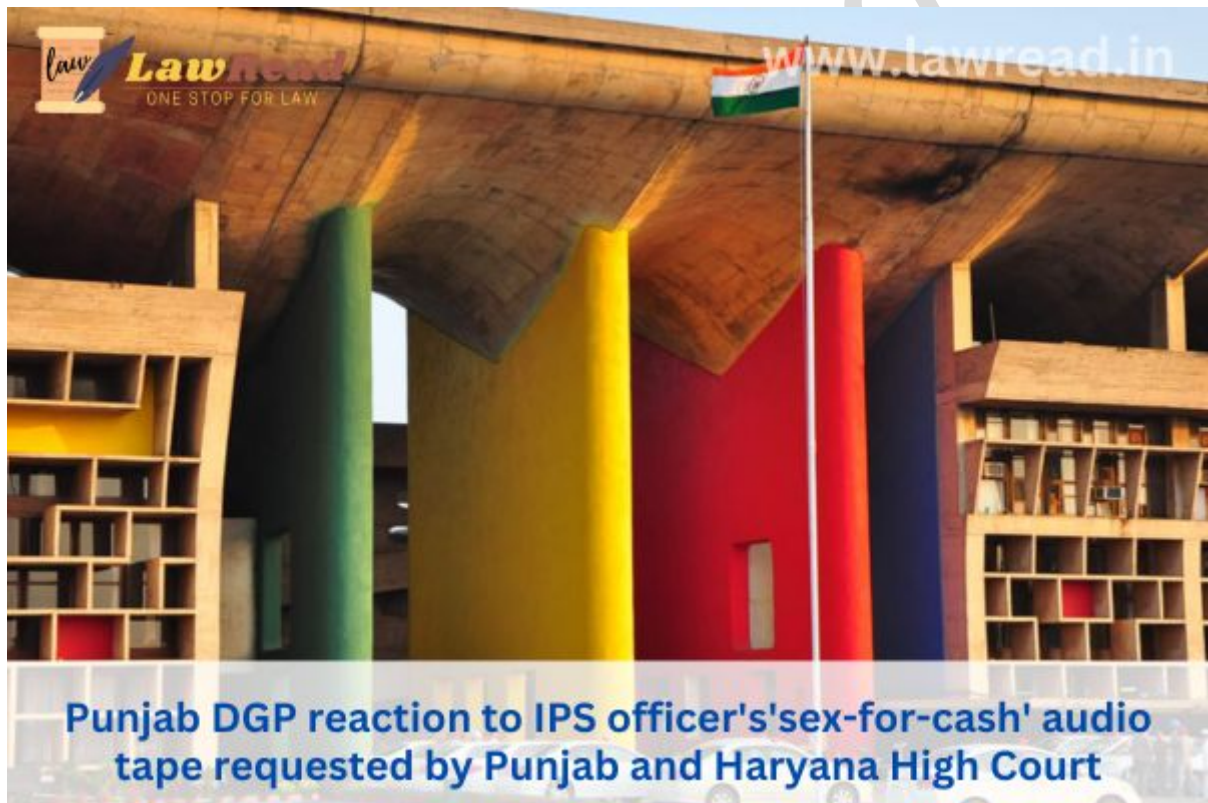


News

Punjab DGP reaction to IPS officer's 'sex-for-cash' audio tape requested by Punjab and Haryana High Court



A judicial magistrate's decision banning the audio recording's distribution had previously been stayed by the High Court on April 24.

A Public Interest Litigation (PIL) petition seeking a forensic probe into certain viral audio recordings that allegedly show a senior police official requesting sexual favors from women was sent to the Punjab government on Monday by the Punjab and Haryana High Court.

In response to the plea, the State Chief Secretary and Director General of Police (DGP) were asked to submit an affidavit by the bench of **Chief Justice Sheel Nagu and Justice Sumeet**

Goel.

However, after the State raised concerns about the PIL's maintainability, the Court in the matter brought by counsel Nikhil Saraf did not issue a formal notice.

"The objection of locus raised by the State counsel shall remain open to be argued on the next date but only after affidavit is filed," the court stated.

The audio recordings that went viral, Saraf claimed, "point to an officer engaged in prostitution, trafficking, and sexual abuse" and called for a Central Forensic Science Laboratory report.

He requested that the names of the policemen who were purportedly heard on the phone records be made public.

"This Public Interest Litigation highlights significant institutional shortcomings in the investigation of claims that have significant ramifications for gender justice and police accountability in Punjab. The lawsuit centers on a second incident that raises questions about potential connections between police officers and the state's drug trade, as well as two audio recordings that, on the surface, appear to show an officer involved in prostitution, trafficking, and sexual abuse.

Saraf informed the court that the authorities had not looked into the audio recordings in spite of representations.

According to the petition,

"Complaints were either disregarded completely or rejected on procedural grounds, despite being sent to legal oversight organizations such as the Punjab State Women's Commission and the Police Complaints Authority. The most concerning event occurred when a Ludhiana Judicial Magistrate First Class issued a biased order to suppress the audio recordings without doing a forensic analysis, hearing the opposing viewpoint, or exercising the appropriate authority. Instead of verification, this led to censorship.

Importantly, on April 24, a single High Court judge stayed the gag order issued by the judicial magistrate. The Division Bench seemed to concur today that the magistrate had issued the order outside of her authority.

Advocate Amit Sharma, who represented Saraf in the PIL heard today, stated that the petitioner was merely asking for an investigation.

"The pattern is systemic. According to this honorable panel, Punjab Police is in a terrible condition of affairs. They don't file FIRs for murders or rape cases. Due to his attempt to stifle a probe, this specific commissioner (IPS officer) was punished... ₹1 Lakh in costs,"

he continued.

The petitioner may, however, contact a magistrate to register a First Information Report (FIR) in the case, the court ruled.

Sharma retorted that the petitioner had unsuccessfully written to a number of authorities. The IPS officer was referred to as a "encounter specialist" by the lawyer, who also emphasized the officer's influence.

"He is a man who is not.... On the first day, a judicial magistrate issued a gag order. He argued, "They [police] don't register FIRs, and there are court orders in front of you."

At this point, the Court decided to request an affidavit from the DGP and the State Chief Secretary.