

News

As the State looks for recognition, the Uttarakhand High Court asks the SSP to oversee the investigation into the Nainital rape.



The accused's wife petitioned the court to overturn a notice that the local municipality had sent her requesting that her home be demolished.

In a case that sparked intercommunal violence in the city, the Uttarakhand High Court on Tuesday requested that the Senior Superintendent of Police (SSP) of the Nainital district oversee the investigation into the alleged rape of a girl [**Husan Begum v State of Uttarakhand**].

Last Monday, the police received a complaint that the accused allegedly raped a 12-year-old girl last month. According to media accounts, because the victim was Hindu and the offender was Muslim, the case subsequently resulted in vandalism and communal violence.

Chief Justice G Narendar and Justice Alok Mahra's bench requested that the SSP keep an eye on the investigation once a week and present the court with an action-taken report.

"We will not tolerate a crime, especially one that is committed against a youngster. Justice must be served, especially when a defenseless kid is involved. Regarding it, there are no two schools of thought,"

said Justice Narendar.

The next hearing on the case is scheduled for August 5.

The accused's wife petitioned the court to overturn a notification from the local government that the house would be demolished.

The Court warned the authorities last week that doing so would be against the Supreme Court's orders. The inability of the administration to uphold peace and order in Nainital was also viewed critically.

The notification was withdrawn by the municipal body in light of the Court's critical views. As a result, the petitioner attempted to revoke the plea today.

The Court reaffirmed the requirement for authorities to obey orders from the Supreme Court.

"The Supreme Court has issued an order. The Court said, "It cannot be that it must constantly remind the administration that there is a ruling, that there are rules, that there is a law governing the field."

Advocate General (AG) **SN Babulkar** stated that the case of a youngster being raped was delicate and had resulted in a state of law and order in Nainital. He claimed that the notice's issuance was improperly presented to the court.

A lawyer who appeared in court today claimed that social media posts were being made disparaging judges and attorneys and that the police were unable to stop violent miscreants.

Justice Narendar requested that the attorney inform the AG of this.

AG replied,

"On social media, nobody is in charge. Who has authority over social media?"

Nonetheless, the Court stated that the Central government has established social media regulations.

When the authorities' attorney claimed that the accused's notice was being issued with religious overtones, the court said,

"The defendant was detained. The accused family was evicted from the residence, which was locked, and they left it. To whom was the notice sent?"

In the meantime, another attorney stated that he had filed an intervention application in order to draw attention to the shortcomings in the police investigation of the rape case. But the Court questioned how such an application could be made in the current house protection plea.

"You wish to make the hearing more dramatic? Does the prayer here have anything to do with your submission?" it inquired.

The Court did, however, add that the applicant may transfer a different file.

"Come with a petition if there is any investigational lapse. We'll make sure it doesn't go off course," it continued.

SSP Nainital responded to the accusations by stating that he was personally keeping an eye on the inquiry. He added that an officer with the rank of Deputy Superintendent of Police (DSP) has been given the investigation after the SC/ST Act was invoked in the case.

The Court then mandated that SSP submit a report every three months and assess the investigation once a week.

In the meanwhile, the Court stated when the State AG asked for a few words of gratitude for the police's handling of the law and order issue,

"We have sent our condolences to the police. The administration infuriated us. We mentioned that the administration shouldn't make matters worse, so how many police officers are you going to hire? It was the administration, not the cops, that we were angry with."

The petitioner was represented by advocate Kartikeya Hari Gupta.

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