REPORTABLE

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

ARVINDER SINGH BAGGA V. STATE OF U.P. (1994)

BENCH: Mr. Justice Kuldip Singh & Mr. Justice S.P. Bharucha **DECIDED:** September 27, 1994

RATIO DECIDENDI & PRECEDENTIAL CRUX:
Police harassment and illegal detention of innocent citizens to extort confessions constitutes abuse of power, attracting personal officer liability.

1. Factual Matrix & Background:

Following an inter-caste marriage, the bride's influential family lodged false criminal complaints. Police officers illegally arrested, humiliated, and detained the husband's family members, including women, subjecting them to mental torture and illegal confinement.

2. Substantive Legal Questions Framed:

Whether police officers misusing statutory powers to unlawfully arrest, harass, and intimidate innocent citizens can be made personally liable for compensation and prosecution.

3. Analysis & Ratio Decidendi:

The Supreme Court held that police officers cannot behave like licensed bullies. Arresting citizens without reasonable suspicion or material evidence is a gross violation of Article 21. The Court directed the State of U.P. to pay substantial compensation to each victim and ordered recovery of the amounts from the salaries of the erring police officers, alongside departmental and criminal prosecution.

4. Principles Enunciated:

- 1. Arbitrary police harassment and arrest without reasonable grounds violates Article 21.
- 2. Erring police officers can be held personally liable to pay compensation.
- 3. State is entitled to recover compensation from police officials guilty of misconduct.

5. Practical Litigation Implications:

- In cases of targeted police harassment or false implication, document all movements, CCTV, and mobile tower locations to substantiate illegal detention and seek personal liability.

.....J.
[SUPREME COURT BENCH]

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