**REPORTABLE**

# IN THE SUPREME COURT OF INDIA

## CRIMINAL APPELLATE JURISDICTION

**IN RE: RAMLILA MAIDAN INCIDENT (2012)**

**BENCH:** Dr. Justice B.S. Chauhan & Mr. Justice Swatanter Kumar **DECIDED:** February 23, 2012

***RATIO DECIDENDI & PRECEDENTIAL CRUX:***
***Midnight police lathicharge and tear-gassing of a sleeping assembly violated right to sleep and peaceful assembly under Articles 19 and 21.***

### 1. Factual Matrix & Background:

In June 2011, thousands of citizens were peacefully assembled at Ramlila Maidan, New Delhi, supporting a hunger strike against corruption. At midnight, police forces conducted a surprise assault using tear gas, batons, and fires to evict the sleeping crowd, causing fatal injuries and panic.

### 2. Substantive Legal Questions Framed:

Whether the sudden midnight eviction of a sleeping gathering through police force without imminent danger violates Articles 19(1)(a), 19(1)(b), and 21.

### 3. Analysis & Ratio Decidendi:

The Supreme Court held that the right to sleep is a fundamental facet of personal liberty and human dignity under Article 21. Section 144 CrPC powers cannot be exercised arbitrarily to disperse peaceful assemblies without genuine threat to public order. The Court condemned the police action, ordered prosecution of guilty officers, and awarded compensation to the injured victims.

### 4. Principles Enunciated:

- 1. Right to sleep is an essential component of personal liberty under Article 21.
- 2. Dispersal of peaceful assemblies requires strict proportionality and prior warning.
- 3. Excessive police force during peaceful protests attracts institutional and personal liability.

### 5. Practical Litigation Implications:

- In defending protest-related prosecutions, invoke the Ramlila Maidan precedent to establish that state action was disproportionate and violated freedom of speech and assembly.

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

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