

CHAPTER XII

LAW AND ORDER AND JUSTICE

INCIDENCE OF CRIME

At the beginning of the 19th century not much area of the district was under cultivation. The land was fertile but due to the shortage of agricultural facilities only some part of the district was under cultivation. The criminal tendencies of the people of Panipat district were not much different from the people living in adjoining districts of Sonapat, Jind and Karnal. Cattle's stealing was the characteristic crime in the district in the 19th century and early 20th century. Sometimes one or two men would set off towards the encampment of their foes and endeavour to carry off by stealth a few of their cattle. These were called simply *chor* (thieves). A band of six or ten such armed herdsmen would carry away the herd by violence. Such thefts were performed in a systematic manner, and the animals were moved to great distances even to other districts through a chain of accomplices. The aggrieved party generally appealed to a self-constituted panchayat or a committee of the leading men in a village or tract, in order to secure the return of his animal, instead of reporting the matter to the police¹.

Crimes of violence were not very common in the district though occasionally murders and dacoities of a serious nature did occur². Undoubtedly, the people of the district have been law abiding. Hence, the crime situation was generally normal. The highest number of criminal cases was reported in the district during 1948 to 1949, for which the disorderly conditions, resulting from communal disturbances due to the partition of 1947, were responsible. Consequent upon the Partition, the Muslims migrated to Pakistan and in their place the displaced persons from that side settled here. Having lost almost everything on account of Partition, a few were in the frantic mood and got indulged in criminal activities. Setting up of new camps at Panipat town also contributed to rising trend in crimes in the region.

The police force had to perform not only the difficult task of combating the heavy spate of lawlessness but also the delicate task of restoring the minds of the law abiding people, simultaneously. The work of the police had further been rendered difficult as a result of certain changes effected for political reasons. The abolition of non-official agencies like the honorary

magistrates, *zaildars* and *sufedposhes*, which in previous regime were a source of strength to the administration, deprived the police and administration of support in its works in rural areas. Without them the morale of the remaining rural functionaries such as *lambardars* and *chowkidars* fell so low that they no longer enjoyed either their former status or confidence of the villagers. In spite of the difficulties, the efforts were made to weed out and control anti-social elements. Before long, the forces of law and order were re-established and administration got the better of crimes and the criminals.

After Independence as a consequence of vigorous efforts in this direction, there was an improvement in law and order situation. The situation further improved with the settlement of displaced persons on the lands allotted to them. This made them busy in clearing the jungles on their lands and preparation of the same for cultivation putting in real hard labour which turned them to constructive work resulting in welcome decline in number of crimes. Cheating was not common though cases of cheating were reported sparingly. The crimes commonly brought to the notice of the police were simple theft, cattle thefts, burglary, murder and robbery.

As the situation improved, the incidence of crime decreased in the area. The period from 1949 to 1959 witnessed steady decline in all kinds of crime with 1959 being the year of least crime. However, a steady increase in crime cases was again witnessed from 1960 onwards, which being devoid of any alarming features was attributed to increase in population, illicit distillation on a large scale and a growing desire to report all crimes/ disputes to the police. In 1992, there were 2,481 cases reported in the district which rose to 4,876 cases in 1997 before showing a decline to a low of 2,597 cases in 1999. During the first decade of 21st century, the highest number of 3,525 cases was reported in 2007, and with only 802 reported cases of crime 2008 witnessed least crime. The important categories of crime are described as under:-

Murder.— Murder has always been termed a fortuitous crime and cannot be foreseen. Many a time, it is committed over trivial issue. Too often it is committed in a sudden outburst of anger under an intense strain of certain powerful emotions. However, the planned murders are also not uncommon. The important motives behind a murder are usually traditional and include illicit sexual relations, domestic and blood feuds, land disputes, lure of

property, canal water disputes, personal enmity, party-faction etc. as common causes of crime. In Panipat, the number of murders usually remains under 50 except in 2010 when it was 65. The minimum figure was 7 murders in 2008.

Dacoity.— Dacoity also ranks among the heinous crimes. In Panipat, since the beginning of 21st century, the crime is not much rampant. The number of cases under this crime usually remained below 10 except in 2001 when it was 20 while 2008 did not witness any dacoity.

Burglary.—It is an act of breaking into a house to commit theft or felony. This crime is very common both in the urban and rural areas with number of case usually above 150 every year. There was much fluctuation in the incidence of this crime in the district during 2001 to 2011, the maximum cases being 225 in 2007 and the minimum 36 cases in 2008.

Robbery.—Robbery may be described as an aggravated form of theft or extortion. This crime has also showed much fluctuation of incidence. The highest number of cases was 47 as reported in 2001, and the minimum was 3 as reported in 2008. Since then it has showed an increasing trend and 41 cases have been reported in 2011.

Rioting.—Rioting takes place when an unlawful assembly of persons resort to violent means which lead to arson and looting. During the last decade, there is much variation in the number of reported cases of rioting in the district. In 2008, a minimum of 9 cases were reported whereas in 2010 as many as 91 incidents were reported.

Theft.—Theft is said to have been committed if a person intends to take dishonestly or stealthily any movable property out of the possession of any person without his consent. This is the most common crime reported in the district and the data shows a continuous increasing trend except for three scattered years. Year 2008 reported the least cases of theft numbering 197 whereas 2003 and 2010 showed the number of cases to be 409 and 752, respectively, which are less by 40 and 60 cases in comparison to the figures of respective previous years. The incidence of this crime has almost doubled in the district from 415 cases in 2001 to 859 cases in 2011.

Kidnapping/Abduction.— Generally, personal enmity and extortion of money are the main reasons behind this crime. Sometimes these cases, are the result of love-affairs and the women often being concerning parties. There is

much fluctuation in the incidence of this crime. In 2001, the number of cases reported was 19 which rose to 30 cases in the next year before coming down to 16 in 2003. A continuous rising trend is evident in this crime during 2004 to 2006 and 2009 to 2011. The lowest number of 8 cases of the crime has been reported in 2008 during the decade.

The detail of reported cases under different crime heads during 2001 to 2011 is given in the table below:-

Year	Crime Head									Total
	Murder	Dacoity	Burglary	Theft	Robbery	Kidnap/ Abduct	Rioting	Culpable Homicide	Misc crime	
2001	43	20	182	415	47	19	35	3	2119	2883
2002	46	4	173	449	27	30	37	4	2267	3037
2003	47	8	161	409	23	16	24	10	2189	2887
2004	37	6	131	433	30	19	27	6	2093	2782
2005	42	9	176	583	34	35	32	7	2046	2964
2006	46	4	210	667	17	46	70	6	2459	3525
2007	35	4	225	664	23	33	37	5	2232	3258
2008	7	--	36	197	3	8	9	4	538	802
2009	44	2	203	812	21	49	59	7	1359	2556
2010	65	2	187	752	31	53	44	9	1670	2813
2011	32	7	176	859	41	64	91	9	1539	2818

Offences under Local and Special Laws.— Offences under local and special laws comprise cases of public nuisance and those covered under the Indian Arms Act, 1878; Punjab Excise Act, 1914; Public Gambling Act, 1867; etc. Besides, the offences under the Motor vehicle Act, 1988 and various traffic rules also have been increased with the increased number of vehicles in the district. In 1992, the number of cases reported under Excise Act, Arms Act and Gambling Act was 696, 91 and 199, respectively. In the first decade of 21st century, the highest number of 3,144 cases was reported in 2007, and 2008 witnessed the lowest number of 450 cases of offences under these Acts. A steady increase in the vehicular traffic is responsible for increase in number of offences under the Motor Vehicles Act which has risen from 4,305 cases in 2007 to 1,33,408 cases in 2011. The details of offences reported under these

Acts are given in Table XXXII of Appendix.

POLICE

Towards the end of 19th century, the police force in the area of Panipat was under the control of the District Superintendent of Police, Karnal. To supervise and control the urban/ rural police in this area a Circle Inspector was posted with headquarters at Panipat in the beginning of 20th century. In 1912, the then Panipat tehsil had the following *thanas* (police stations)³ :-

Thana and population	Class of police	Inspector	Sub-Inspector	Head constable	Foot constable	Mounted constable	Watch men
Panipat (26,342)	{ Municipal	...	1	5	46	...	...
	{ Town watchmen	...	...	...	...	...	...
Panipat Sadar (42,229)	{ Provincial	1	1	2	10	...	...
	{ Village watchmen	...	...	...	...	...	93
Samalkha (46,933)	{ Provincial	...	1	2	10	...	...
	{ Village watchmen	...	...	...	...	...	93
Urlana (55,871)	{ Provincial	...	1	2	10	...	...
	{ Village watchmen	...	...	...	...	...	137

The town police strength at Panipat with 27,000 inhabitants was under staffed with only 46 constables for both watch and ward and for the work of separate *thana* in the town, especially in view of difficulties. In addition to the urban *thana* in Panipat, there were 20 rural *thanas* (part of Karnal region also included) with an average areas of 200 square miles⁴. The duties of the police force increased manifold as a result of the World War II. The police had to meet a new situation every now and then. After the war there was a shortage of essential commodities and the police force had to be employed to check black marketing. The political parties became very active and there were agitations for the attainment of independence. The visits of the British delegations to India for political settlement involved a big security question for the police.

The Independence of the country further increased the duties of the police force. Fresh burdens were thrown on it by the expansion in social activities and branches of the public administration. While the responsibilities increased, the police force was not strengthened adequately or its salaries and conditions of work were not reviewed in the light of altering economic circumstances. It was finally in 1961 that the State Government constituted the Punjab Police Commission to enquire into and report on the role of police in the context of democratic rights consistent with the paramount security of the State; measures for controlling meetings, demonstrations and mobs; police-public cooperation; steps for improving the work of the investigation and detection; staff position; emoluments and conditions of service; relations of the police with the magistracy; mutual obligations of the police and panchayats, etc. The recommendations of the Police Commission were made in May 1962 and were implemented.

The State Government has consistently endeavoured towards modernizing the police system for making it more efficient and responsive to the needs of the people in the context of the new socio-political concepts which are emerging in the society and in the State. In order to maintain law and order situation, the number of police stations and police posts has increased in the district. Further, the people friendly behaviour of the police has also helped in curbing various criminal activities in this area.

Organization of the District Police.—As per police rules, the Senior Superintendent of Police (SSP) of the district works under the general guidance and supervision of the Deputy Commissioner insofar as the maintenance of law and order in the district is concerned. The SSP, Panipat is working under the administrative control of Director General of Police, Haryana through Deputy Inspector General of Police, Rohtak range in whose jurisdiction the district of Panipat falls. As on 31st March, 2011, he is assisted by an Assistant Superintendent of Police, 5 Deputy Superintendent of Police, 21 Inspectors, 43 Sub-Inspectors, 151 Assistant Sub-Inspectors, 179 Head-Constables, and 1188 Constables. The details are given in the table XXXIII of Appendix.

Various staff agencies such as crime bureau, social investigation agency, special branch, vigilance etc. converge at the office of SSP who in turn operates through police stations, special squads, traffic police and reserve police etc. The smallest unit of police administration in the district is the police station or a police post that caters to the needs of several villages, or a

town or part of a town as specified. Each police station is under the charge of a police officer known as Station House Officer. He is usually of the rank of Inspector and in some cases Sub-Inspector. It is his duty to maintain peace in the area as well as to investigate offences occurring within his jurisdiction. A police post is headed by either a Sub-Inspector or an Assistant Sub-Inspector. As on 31st March, 2011, there are 9 police stations (Civil) and 18 police posts in the district besides the 2 police stations of CIA. List of police stations and police posts in the district is given in the following table:-

Police Station		Police Post.
1.	City Panipat	{ i. Tehsil camp ii. Quilla iii. Sector 6/7 iv. Bus Stand
2.	Sadar Panipat	Sanoli
3.	Chandni Bagh	{ i. Sector 11/12 ii. Sector 29 iii. Baljeet Nagar iv. Kishan Pura
4.	Model Town	{ i. 8 Marla ii. Model Town iii. Assandh Road
5.	Matlauda	{ i. Urlana ii. Thermal iii. Baholi (Refinery)
6.	Israna	--
7.	Samalkha	i. Samalkha ii. Traffic Samalkha
8.	Bapoli	--
9.	Babarpur (Traffic)	T. A. C. Samalkha
10.	CIA-I	--
11.	CIA-II	--

Police Radio Organization.—For receiving and transmitting message, wireless sets have been provided to all the key police officers, and in all police stations, police posts and police control rooms (PCR) in the district. The telecommunication wing of the police is responsible for running the wireless network in the district round the clock. Besides managing the receipt and transmission of messages in the police stations, police posts and PCRs, its staff also coordinates with the State Police Control Room. The police radio

organisation plays an important role in maintenance of Law and Order and checking crimes.

Haryana Armed Police.— Prior to 1947, there was a temporary force called the Provincial Additional Police which was redesigned as the Punjab Armed Police in 1961. With the formation of Haryana as a separate State, in November, 1966 it became the Haryana Armed Police. The deployment of Armed Police is usually done for the protection of important vulnerable and strategic points, and it is required to perform important functions/duties like protection of railways, roads and bridges; providing security to the VIPs; protection of cash and staff of government departments and at check barriers, protection of power grids and sub-stations etc. The total strength of Haryana Armed Police in the district is 1,569 in 2011.

Haryana Home Guards.—Haryana Home Guards in Haryana is the successor of the Punjab Home Guards that was started as a voluntary organisation keeping in view the civil emergencies and appreciating the need of time in 1960 in the border districts and all important towns of the State. The aims of the organization include the boosting up of the morale of the people by infusing in them a spirit of self-confidence and self-reliance, to overcome different kinds of emergencies, both natural and man-made.

The District Commandant is the overall Incharge of home guards. He is assisted by Commander Training Centre. Home Guards have two companies in the district one in Panipat tehsil and the other one in Samalkha. These assist the police force of the district in maintenance of law and order and other essential services during emergencies and providing relief in the event of natural calamities like flood, fire etc. As on 31 March, 2011, the strength of home guards is 214 and 424 personnel in urban and rural area of the district, respectively.

Railway Police.—The Haryana Government Railway Police (GRP) came into existence on 1st November, 1966 together with the creation of the new State. The GRP is not allotted to any district particularly, and it has its State Headquarter at Ambala Cantonment. The circles of the railway police are formed according to the sections of the railway lines, and these are connected with the prevention, detection and control of crimes in trains and within the railway premises.

The main functions of the Railway Police are: to maintain law and

order at railway stations and in trains; to attend the arrival and departure of passenger trains at stations and to render all possible assistance to passengers and railway officers; to protect travellers from injury to person or property; to bring to the notice of the proper authority all offences under the Railways Act and breaches of bye-laws, and all cases of fraud or oppression on the part of railway sub-ordinates; to keep platforms clear of idlers and beggars and to keep a watch over suspicious persons, smugglers and persons travelling with arms; to search all empty carriages for property left behind by passengers; to control the hackney carriages plying for hire at railway stations and to enforce the regulations of railway authorities. The GRP has the same duties and powers as the district police within its respective jurisdiction. The Railway Police Station, Panipat comes under the jurisdiction of Ambala Cantonment Sub-Division of GRP and it is manned by 7 Head-Constables and 18 Constables.

Village Police.—Village Chowkidar, a petty official of the revenue department, is considered as the village police. He performs the duties regarding maintenance of law and order at the lowest rung. He serves a vital role in maintaining law and order as he is well-aware of people residing in the village. It is his duty to report the occurrence of any crime or breach of law and order situation in the village to the concerned authorities and keep a general vigil on the movement of individuals of bad repute. He is bound by rules to obey the village headman and to assist the police to the best of his ability in all matters connected with the prevention and detection of crime and the apprehension of the offenders.

JAIL

A judicial lock-up was located in the industrial area behind the Sub-divisional Magistrates Court at Panipat which was converted into Sub-jail on 1st April, 1962. At that time the building had two rooms with an authorized accommodation for 14 prisoners but later on the accommodation was increased to 35 prisoners. The boundary of the Sub-jail was constructed in 1968 while the administrative block and residential quarters were constructed in 1970. In 1970, the Sub-Divisional Magistrate was given the charge of this jail in addition to his duties. He was assisted by a sub-assistant Superintendent⁵. As in 2011, this jail is under the control of Superintendent of Jail, Panipat who is assisted by a Deputy Superintendent Jails and an Assistant Superintendent Jails. The area of the jail is only 0.63 acres (5 kanal approx.). Only under trial male prisoners are confined in this jail. A piece

of land measuring 47.6 acres has been acquired, in 2002 by the government, for the new district jail near the village Siwah and the construction thereon is in progress. As on March 31, 2011 the number of prisoners confined in the jail is 76.

JUSTICE

In the beginning of 20th century, the civil judicial work was placed under the supervision of District and Sessions Judge posted at Karnal. He was assisted by Senior Sub-Judge, Karnal and three Sub-Judges, one each for Karnal, Panipat and Kaithal. The courts at Panipat were previously situated at the “Kabri Wali Kothi”. The court of Additional District and Sessions Judge was set up at Panipat district in 1990. New judicial complex was inaugurated by Chief Justice of Punjab and Haryana High Court in 2010. The government declared Panipat as a separate Sessions Division in December, 2010 and the first District and Sessions Judge, Panipat joined his office in April, 2011.

Panipat Sessions Division has a sanctioned strength of one District & Sessions Judge, 3 Additional District & Sessions Judges, a court of Civil Judge (Senior Division), a court of Chief Judicial Magistrate, a court of Additional Civil Judge (Sr.Division) and 6 courts of Civil Judge (Junior Division). All of the Civil Judges also exercise the powers of Judicial Magistrates and Rent Controllers. The District & Sessions Judge, and Additional District & Sessions Judges exercise powers of Appellate Authority under the East Punjab Urban Rent Restriction Act and as Motor Accident Claim Tribunal. The pecuniary jurisdictions of Civil Judges of Panipat Sessions Division and also of the appellate courts are unlimited.

Criminal Justice.—Judicial officers have both civil and criminal jurisdiction. The same judicial officer functions as a civil court when adjudicating upon civil matters and as criminal court while trying criminal cases. The work in lower courts is supervised by the Chief Judicial Magistrate, who deals with all types of cases. He is vested with the powers of Judicial Magistrate 1st Class and is empowered to try Juvenile offenders, to issue search warrants, to release imprisoned persons, to seek security under section 106 of Criminal Procedure, to order police investigation into cognizable cases, to entertain cases with complaints, to transfer cases to subordinate Magistrates, and to report appropriate cases to High Court etc.

All Judicial Magistrates try cases under the India Penal Code, 1860, the Punjab Excise Act, 1914, Essential Commodities Act, 1955 and other

special Acts relating to the police stations. They have the powers to direct warrant to land holders; to issue search warrants for discovery of persons wrongfully confined; to record statements and confessions during police investigation; to recover penalty on forfeited bond; to order released convicts to notify residence, etc. All criminals apprehended by the police are required to be produced before the Judicial Magistrate in whose jurisdiction the crime may have been committed within 24 hours of their arrest excluding the journey time.

The District and Sessions Judges, Additional District and Sessions Judges and all other judges exercise the powers which are granted under the various provisions of Code of Criminal Procedure and Code of Civil Procedure, and which are also specially vested in them by the government. Though, Judicial Magistrates are empowered to try criminal cases which are initiated within the entire district where they are posted yet, for the facilitation of work and avoiding confusion, separate police stations are allotted to specific officers. Consequent upon the separation of judiciary from executive, cases of security for keeping peace and good behaviour under the criminal procedure code are being tried by the Executive Magistrates who are still under the control and supervision of District Magistrate.

Detail of cases tried by the criminal courts in the district during 2000-01 to 2010-11 is given below:-

Year	Cases brought from previous year	Cases reported and admitted during the year	Cases tried	Cases convicted	Cases untraced	Pending
2000-01	8242	2695	2857	130	21	7929
2001-02	7929	3367	2879	253	22	8142
2002-03	8142	3391	3051	252	49	8181
2003-04	8181	3390	2380	232	27	8932
2004-05	8932	2690	3275	210	131	8006
2005-06	8006	3790	4005	257	15	7519
2006-07	7519	3512	2511	182	36	8302
2007-08	8302	4913	3770	82	65	9298
2008-09	9298	10785	5570	83	226	14204
2009-10	14204	13363	6868	103	121	20475
2010-11	20475	12083	10745	83	78	21652

Civil Justice.— Insofar as civil cases are concerned the Civil Judge (Senior Division), Panipat hears cases of rents, succession certificate, insolvency, guardianship and appellant work up to certain limit. The pecuniary cases are instituted in his court and are distributed by him amongst the Civil Judges posted in the district, who have been vested with the unlimited powers in cases of civil nature.

Detail of cases tried by the civil courts in the district during 2001-02 to 2010-11 is given below:-

Year	Pending cases	Cases reported and admitted	Cases tried	Pending
2000-01	3699	1456	1038	4117
2001-02	4117	1979	2042	4054
2002-03	4054	1948	2003	3999
2003-04	3999	2754	1739	5014
2004-05	5014	933	1855	4092
2005-06	4092	1834	1868	4058
2006-07	4058	2351	2172	4237
2007-08	4237	1646	1332	4551
2008-09	4551	3256	2320	5487
2009-10	5487	4226	2493	7220
2010-11	7220	3812	3288	7744

Lok Adalats.—These courts also known as ‘People’s Courts’ are established by the Government for settlements of disputes through conciliation and compromise. The first lok adalat was held in the district on 6th June, 1992. The main purpose of lok adalats is expeditious decisions in pending court cases by way of reaching a compromise through conciliation between respective parties to the case, so that the financial resources and time of litigants may be saved while mitigating the enmities between them. The decisions of the lok adalats are final and binding. Free legal aid is extended to the parties on receipt of their applications by appointing counsel. The number of persons receiving free legal aid rose from 93 persons in 2000-01 to 12,206 in 2010-11.

Revenue Court.—The Collector is the highest revenue judicial authority in the district. Appeal or revision against his orders lies to the Divisional Commissioner and Financial Commissioner. Tehsildars and Naib-Tehsildars are Assistant Collectors IInd grade, but in partition cases the Tehsildar

assumes the powers of Assistant Collector 1st grade. The City Magistrate and the Sub-Divisional Officer (Civil) are Assistant Collectors 1st grade; however, Sub-Divisional Officers (Civil) have also been delegated the powers of Collectors under certain Acts.

District Attorney.— The District Attorney is the head of the prosecuting agency at district level and looks after the work relating to the civil and criminal cases in the courts of the district. He works under the general control of the Director of Prosecution, Haryana. He is assisted by Deputy District Attorney, Assistant District Attorney and subordinate staff.

Deputy District Attorney pleads the civil/criminal cases in the courts of Additional Sessions Judges. He also suggests/rejects the cases for appeal to District Attorney and sends such cases to him with the copies of judgement.

Assistant District Attorneys pleads the civil/criminal cases in lower courts and after judgement send their suggestions to Deputy District Attorney and District Attorney.

Free Legal Aid Service.— The concept of free legal aid has its roots in Article 39A of the Constitution of India which mandates that the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. Free legal Aid service may be obtained in any court of law up to the Supreme Court and in any tribunal, Revenue Court as well as departments of Government and other bodies discharging quasi-judicial functions. The legal service is available in all civil, criminal, revenue and administrative matters. In Panipat the free legal aid at district level is available through the District Legal Service Authority of which the District and Sessions Judge is the Chairman and Chief Judicial Magistrate is the Secretary, and through the Sub-Divisional Legal Service Committee of which the senior most Civil Judge is the chairman. The free legal aid is admissible to all eligible citizens of India who fulfil the conditions laid down under the provisions of section 12 of the Legal Services Authorities Act, 1987 read with rule 9 of the Haryana State Legal Services Authority Rules, 1996.

Bar Association.— There is a Bar Association at Panipat. It was established in 1927 with only 5 members. Mr. Khan T. A. Hyder was the first president of

the Bar Association, Panipat. The membership increased to 51 members in 1970. The Association is the guardian of administration of law and justice and protects the rights and privileges of the members engaged in the legal profession in general and particularly the members of the Bar Association, Panipat. In Haryana, all the Bar Associations function under the rules framed by the Punjab and Haryana High Court and the Bar Council of Haryana under the Advocates Act, 1961. These associations play a significant role in the field of justice administration. Up to March 2011, 1293 advocates have enrolled themselves as members of Bar Association, Panipat.

Notes and References

¹ Karnal District Gazetteer, 1918, p.202.

² *Ibid*, p.207

³ Karnal District, Statistical Tables, Volume VI-B, 1912, pp.118-120

⁴ Karnal District Gazetteers, 1976, p.334

⁵ *Ibid*, p.340