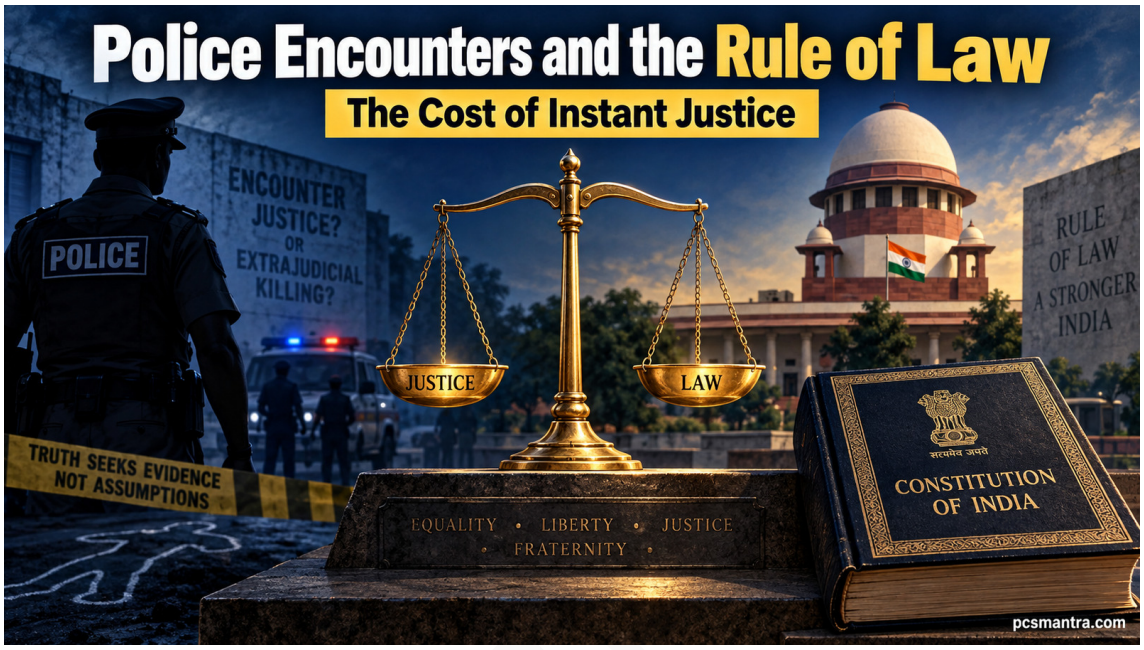
Police Encounters and the Rule of Law: The Cost of Instant Justice



News reference: recent incidents in West Bengal and other states, November 2026 | Mains: GS-II governance, police reform, rule of law; GS-IV ethics; Prelims: PUCL v State of Maharashtra (2014) guidelines, NHRC

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Why in the News

In Uttar Dinajpur in West Bengal, a person accused of raping and murdering a minor died in a police encounter. This is being described as the fourth such incident in the state since the new government took office in May, sparking a wider debate over encounters becoming "routine" and due process being ignored.

Background: Recent Incidents

West Bengal: the Uttar Dinajpur incident has been described as the fourth encounter death in the state since May 2026. Statements by the state's top leadership about giving the police a "free hand" in cases of sexual violence have fuelled the controversy.

Andhra Pradesh: in early November 2026, police shot a 21-year-old accused of attacking a schoolgirl in Anantapur, as a result of which his leg had to be amputated.

Uttar Pradesh: according to official figures quoted in the editorial, 17,043 police encounter operations were recorded in the state between March 2017 and May 2026.

Punjab: according to a newspaper investigation, Punjab Police reported 34 encounters between November 2025 and January 2026 - on average more than one every three days.

The Judicial Framework: What the Courts Have Said

The Supreme Court laid down binding safeguards for the investigation of police encounters resulting in death - mandatory registration of an FIR in every incident, investigation by an

independent agency and a magisterial inquiry.

The Court reiterated that the 2014 guidelines are binding and cannot be made dependent on the victim or their family initiating proceedings.

The Rule of Law Versus Instant Justice

There is a fundamental difference between decisive action within the law and a culture of retribution. Presenting an encounter as proof of firmness against crime can win public support, but the process of investigation, prosecution and trial is the foundation of the rule of law.

- Institutional value: the authority to declare an accused guilty rests only with the judiciary; Article 21 guarantees that no one is deprived of life and personal liberty except by procedure established by law.
- The danger of the cycle: the political capital gained from demonstrative toughness reduces institutional credibility and weakens accountability.
- The scale of the problem: despite repeated judicial interventions the incidents are not stopping, making clear that the success of judicial directions depends on institutional compliance.

The Way Forward

- Strict compliance with the PUCL (2014) guidelines: independent investigation and magisterial inquiry must be ensured in every encounter death.
- Implementation of police reform (the directions in Prakash Singh v Union of India, 2006) so that political pressure on the police is reduced.
- Raising forensic and scientific investigation capacity to encourage evidence-based prosecution.

Prelims Practice Question

Question 1: With reference to the investigation of police encounters, in which of the following cases did the Supreme Court lay down guidelines for mandatory FIR registration, independent investigation and magisterial inquiry?

(a) D.K. Basu v State of West Bengal

(b) People's Union for Civil Liberties v State of Maharashtra

(c) Prakash Singh v Union of India

(d) Bhim Singh v State of Jammu and Kashmir

Answer and Explanation

Answer: (b)

In PUCL v State of Maharashtra in 2014, the Supreme Court issued 16-point guidelines for investigating fatal police encounters. The other options are different civil-liberties or police-reform cases; this question is based on the encounter-death investigation process of the PUCL judgement.

Mains Practice Question

"The culture of encounters creates the illusion of instant justice but weakens the rule of law." Comment with reference to recent incidents and judicial guidelines. (Answer in 250 words - 15

marks)

Answer Outline

Introduction: The popular demand for instant justice and procedure established by law.

Main Body: The difference between accused and guilty; the PUCL judgement's safeguards of FIR, independent investigation and magisterial inquiry; political support and police accountability; scientific investigation and prosecution as the alternative.

Conclusion: Firm action should remain within the law; retribution must not take the place of process.

Syllabus mapping:General Studies Paper-II: governance, police reform, rule of law; Paper-IV: ethicsPrelims: PUCL v State of Maharashtra (2014) guidelines, NHRC

Sources

PUCL v State of Maharashtra, original SC judgement, especially para 31

The Indian Express - editorial: West Bengal police encounters

The Hindu - Samserganj encounter: civil rights groups report

Live Law - Extra-judicial killings on rise: Justice Ujjal Bhuyan

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