



Mains Practice Question

Q. Chulbul was a close aide of a minister in his constituency. He is known for his hooliganism. Once he got into a fracas in a mall and badly beat up a shop owner's son. Normally, Chulbul had his way in such matters. However, the shop owner took a firm stand and registered a case against Chulbul. The police officer in charge was new and was proceeding according to law. He refused to dilute the case against him. He makes appeals to the minister for not interfering in the matter. However, the minister tells him that he will transfer the police officer. Further, it is rumored, that a close relative of the minister will be joining as his replacement.

Imagine yourself as the police officer who is to be transferred. Discuss the different options available and how will you respond in this case?

19 Mar, 2021 GS Paper 4 Case Studies

Available Option with the Police Officer

- **In order to avoid drawing the minister's ire, he tactfully delays the investigation.**
 - This choice is inappropriate.
 - The police officer has to act promptly and pursue the investigation.
 - In such matters, the case gets weakened by the very delay in the process.
 - Taking this course of action is acting strategically in self-interest and not discharging the duty diligently.
- **The police officer silently takes the transfer.**
 - This choice is inappropriate.
 - Police officers should scrupulously follow the law while conducting investigations into crimes.
 - They should apply the legal provisions based on the facts of the case without getting influenced by extraneous factors.
 - By opting for transfer, the police officer would be behaving opportunistically to stay in the minister's good books. However, it would lead to dereliction of the official duty.
- **Water down the case, but at the same time advise the trader to approach the court for applying more stringent legal provisions.**
 - This choice is also inappropriate since it involves devious or deceitful conduct.
 - By acting in this manner, the police officer would be transferring his job to the trader or the victim.
 - Police have to perform their duty in a straightforward manner without resorting to such a plan of action.
 - Police have to present the case before the courts through prosecutors without diluting or exaggerating it.
 - As compared to police the victims are in a weak position and can seldom take effective action on their own. They need full support from the police.
- **Act in a non-partisan way against Chulbul. Also, the police officer should ask the minister to not favor his close aid, as it is against the rule of law.**
 - This choice is correct.

- A legal duty is cast upon an investigating officer in virtue of the official position he holds of duly taking cognizance of offenses and pursuing them speedily and diligently.
- As this is his legal (and also moral) duty, he should not be distracted by other strategic or personal considerations.
- Further, it is right to warn the minister, as clearly he is guilty of misusing his office and has tampered with the process of justice.

Conclusion

Criminalization of politics and the Politicization of crime breeds on the nexus of politicians, bureaucrats, and hooligans. In this case, the government should take various measures like as the Second Administrative Reforms Commission has recommended that the definition of corruption should be widened to include such acts and a code of ethics should be incorporated.

PDF Refernece URL: <https://www.drishtias.com/mains-practice-question/question-849/pnt>