



P.L.RAJ IAS & IPS ACADEMY

Building Bureaucrats Since 2006

3. Operation Langda – National

A recent analysis examined the growing use of "Operation Langda" by the Uttar Pradesh Police, raising serious questions about crime control, due process, and rule of law. Operation Langda refers to a policing practice where accused persons are allegedly shot in the leg during police encounters and then arrested — often called a "half-encounter" because the accused survives but is incapacitated through injury rather than killed. The Allahabad High Court in 2026 observed that such "half-encounters" appeared to be becoming routine and reiterated that the power to punish belongs exclusively to the judiciary. Critics argue the practice violates Article 21, due process, and the constitutional principle separating law enforcement from punishment.

1. What is Operation Langda?

Definition

1. Policing practice in Uttar Pradesh where accused persons are allegedly **shot in the leg** during police encounters and then arrested
2. Called "**half-encounter**" — accused survives but is incapacitated through injury rather than killed
3. Emerged under State's "zero-tolerance" approach to crime
4. Presented as method of incapacitating habitual offenders

Typical Pattern

1. Suspect interception → Alleged attempt to flee or attack → Police retaliation → Leg injury → Arrest → Weapon recovery
2. Standard narrative making scrutiny difficult
3. Often involves prior criminal history of accused justifying the encounter narrative

2. Why Has It Gained Attention?

Crime Control Tool

1. Supporters view it as quick method to incapacitate habitual offenders
2. Low conviction rates and delays in criminal justice system creating perceived need
3. Repeat offenders difficult to keep incarcerated under bail provisions

Non-Lethal Encounter Model

1. Unlike traditional encounter killings, suspects usually survive with leg injuries
2. Making practice appear more legally defensible than fatal encounters
3. Reduces public outrage compared to encounter killings

Institutionalisation of Encounters

1. Large number of such incidents and official endorsement
2. Turned exceptional tactic into routine policing practice
3. Creating systemic pattern raising rule of law concerns

3. Concerns About Operation Langda

Violation of Due Process

1. Punishment effectively imposed **before judicial determination of guilt**
2. Undermining criminal justice system's foundational principle
3. Violates presumption of innocence (innocent until proven guilty)
4. Article 22 rights (arrest procedures, legal representation) potentially compromised

Human Rights Concerns

1. Deliberately injuring suspects raises concerns under **Article 21 (Right to Life and Personal Liberty)**
2. Encompasses right to life with dignity – not merely survival
3. **Article 20(3)** – Protection against self-incrimination
4. Forced injury as coercive interrogation tactic raises torture concerns
5. India's obligations under UN Convention Against Torture (despite not being a formal signatory)

Extra-Judicial Punishment

1. Blurs line between **law enforcement and punishment**
2. Punishment function reserved exclusively for courts under constitutional scheme
3. Police acting as judge, jury, and executioner
4. Violates separation of powers principle

Lack of Accountability

1. Repetitive encounter narratives (suspect always attacks first, weapon always recovered) limiting scrutiny
2. Limited independent investigation
3. Weakens transparency, public trust in policing
4. Magistral inquiries often perfunctory

Perverse Incentives

1. Rewards, recognition, encounter statistics encouraging excessive use
2. Creating institutional incentive structure rewarding extra-legal violence
3. Officers competing for encounter numbers undermining rule of law culture
4. Possibility of fabricated encounters for personal gain, settling scores

Selective Application

1. Concerns about targeting based on religion, caste, economic status
2. Disproportionate impact on marginalized communities
3. Police discretion without oversight creating discrimination risks

4. Judicial Position

Supreme Court – **People's Union for Civil Liberties v. State of Maharashtra**

1. Supreme Court prescribed **detailed guidelines** for encounter cases
2. **Key guidelines –**
 1. Independent investigation of every encounter case
 2. FIR must be registered
 3. Magisterial inquiry mandatory
 4. Cases sent to **State Human Rights Commission** or **NHRC**
 5. If investigation reveals prima facie case against police, prosecution must follow
 6. Compensation to family of deceased in wrongful encounters
 7. No promotion or reward until investigation clears officer

Allahabad High Court (2026)

1. Observed "half-encounters" appearing to become **routine**
2. Reiterated that **power to punish belongs exclusively to judiciary**
3. Expressed concern about institutionalization of extra-judicial violence
4. Called for strict compliance with Supreme Court guidelines

Other Relevant Judgments

1. **D.K. Basu v. State of West Bengal (1997)** – Established guidelines preventing custodial torture, illegal detention
2. **Extra Judicial Execution Victim Families Association v. Union of India (2016)** – No encounter can be justified even against militants, criminals; every death must be investigated
3. **Nilabati Behera v. State of Orissa (1993)** – Compensation for custodial deaths, violations of personal liberty

5. Constitutional and Legal Framework

Constitutional Provisions Violated

1. **Article 14** – Equality before law and equal protection – selective, arbitrary targeting
2. **Article 19** – Freedom of movement – suspects shot for attempting to exercise this right
3. **Article 20** – Protection against arbitrary conviction, self-incrimination
4. **Article 21** – Right to life and personal liberty – encompasses dignity, bodily integrity
5. **Article 22** – Protection against arbitrary arrest and detention

Legal Framework

1. **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023** – Replaced CrPC; regulates police powers, arrest procedures
2. **Bharatiya Nyaya Sanhita (BNS), 2023** – Replaced IPC; Section 100 on private defence limits
3. **Police Act, 1861 (state variations)** – Governs police conduct (outdated, needs reform)
4. **NHRC Guidelines** – All encounter deaths must be reported within 48 hours

6. Broader Context – Encounter Culture in India

Historical Background

1. Encounters prevalent since 1970s–80s (Punjab insurgency, Mumbai organized crime, naxal operations)
2. Justified as necessity against organized crime, terrorism
3. Gradually normalized as routine policing tool

Structural Reasons for Encounter Prevalence

1. **Overburdened courts** – 5+ crore pending cases; trial delays of 5–10 years
2. **Low conviction rates** – ~50% conviction in IPC cases (some estimates lower)
3. **Weak forensic infrastructure** – Poor evidence collection limiting prosecution
4. **Political pressure** – Demand for quick results from elected officials
5. **Institutional culture** – Encounter officers celebrated as "supercops"

National Human Rights Commission (NHRC)

1. Monitors encounter cases across India
2. Issues notices to states for explanation
3. Recommends compensation for victims' families
4. Limited enforcement capacity (advisory body)

7. Way Forward

Strengthen Due Process

1. Strict compliance with Supreme Court PUCL guidelines
2. **Independent investigation** of every encounter by SIT or CBI
3. Mandatory **video recording** of encounters where possible
4. Magisterial inquiry within specified timeline

Improve Criminal Justice Delivery

1. Enhance investigation quality (forensic capacity, trained investigators)
2. Fast-track courts for serious offenders
3. Strengthen witness protection programs
4. Reduce trial delays removing incentive for extra-legal approaches

Accountability and Transparency

1. **Mandatory body cameras** for police officers during operations
2. Regular **encounter audits** by independent bodies
3. **Judicial oversight** through district court monitoring
4. **Public reporting** of encounter cases (annual state reports)
5. Prosecute officers in fabricated encounter cases without delay

Police Reforms

1. Implement Prakash Singh Committee recommendations (2006 SC judgment)
2. Establish **Police Complaints Authority** at district and state levels
3. Separate investigation from law-and-order policing
4. Revamp police training emphasizing human rights, rule of law

Community-Centred Policing

1. Intelligence-led policing identifying crime networks before incidents
2. Crime prevention through community engagement, surveillance
3. Rehabilitation programs for habitual offenders addressing root causes
4. **Community policing initiatives** building trust between police and marginalized communities

8. Conclusion

Operation Langda exemplifies the dangerous institutionalization of extra-judicial violence where crime control imperatives override constitutional safeguards — violating Article 21 (bodily integrity), due process (pre-judicial punishment), and separation of powers (police usurping judicial punishment function). While structural failures in criminal justice (low convictions, trial delays) create pressures for shortcut policing, the Allahabad HC's 2026 observation that half-encounters are becoming routine demands strict enforcement of SC's PUCL guidelines, mandatory independent investigation, accountability mechanisms, and fundamental criminal justice reforms replacing encounter culture with evidence-based, community-centred, rights-respecting policing.

Source - <https://www.thehindu.com/news/national/is-shoot-to-disable-the-new-normal/article71056685.ece>