



## CASE COMMENT: VIHAAN KUMAR V. STATE OF HARYANA (2025)

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### ABSTRACT

*This comment takes a close look at the Supreme Court's judgment in Vihaan Kumar v. State of Haryana (C.A. No. 6071/2023), a case that brought to light the deep flaws in how arrests and custodial care are dealt with in India. Vihaan Kumar was arrested without being told why, denied access to legal help, and later chained to a hospital bed in plain violation of his rights. The Court condemned this treatment as illegal and degrading, holding it unconstitutional under Articles 21 and 22. This case comment breaks down the reasoning of the Court, connects it with broader constitutional values, and sheds light on what it tells us about police accountability, institutional silence, and the urgent need for reform.*

**Keywords:** Unlawful Arrest, Article 21, Custodial Rights, Chaining of Detainees.

### INTRODUCTION

In India, an arrest is not supposed to strip you of your humanity. And yet, in practice, it often does. You get picked up by the police without a warrant or an explanation. You're left in the dark about your rights, treated like a criminal before any court has said you are one. That's exactly what happened to Vihaan Kumar. His arrest was sudden. There was no arrest memo, no information about the grounds for arrest, and no access to a lawyer. And when his health got worse, he was taken to a hospital—only to be chained to the bed like a dangerous outcast. When the case made it to the Supreme Court, it became more than just a personal grievance. It became a moment for the Court to reinforce the values of dignity, fairness, and constitutional accountability. The judgment didn't just follow the legal rulebook, it spoke about what it means to treat someone with humanity—even in custody, even when they're accused. This comment explores that judgment in full, breaking down the legal principles,

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highlighting the failings of the system, and asking what it will take to make sure that this doesn't happen again.

## **FACTS OF THE CASE**

Vihaan Kumar, a young man in his early twenties, was detained by Haryana police without a warrant. The arrest came without any explanation; he wasn't told what offence he was being charged with. He wasn't informed of his right to consult a lawyer. He wasn't informed of his right to defend himself. There was no official arrest memo, no record of communication with his family. To make matters worse, when he fell ill during custody and was taken to a government hospital, he was chained to the hospital bed—both hands shackled with metal chains. This kind of treatment is not just outdated—it's unlawful. His lawyers took the matter to the Supreme Court, arguing that his fundamental rights had been grossly violated. Article 21<sup>1</sup>, which guarantees the right to life and personal liberty, and Article 22(1)<sup>2</sup>, which protects the rights of arrested individuals, were both breached. The case also raised serious concerns about the behaviour of the medical staff. No one intervened or reported that a patient—already under medical care—was being restrained in such a cruel way. This silence was part of the problem. The hospital, a place of healing, had become a passive site of custodial abuse.

## **LEGAL ISSUES RAISED**

The Supreme Court considered the following core questions:

1. Whether the arrest of Vihaan Kumar lawful, especially in light of the failure to inform him of the grounds of arrest and his legal rights?
2. Whether the act of chaining a detainee in a hospital setting amounts to a violation of the right to life and dignity under Article 21?
3. Whether institutional safeguards were ignored or bypassed during the arrest and detention?
4. What role should medical institutions play in preventing or reporting custodial abuse?
5. What remedial steps should be taken to ensure such violations do not recur?

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<sup>1</sup> Constitution of India, art 21

<sup>2</sup> Constitution of India, art 22(1)

## OBSERVATIONS OF THE COURT AND JUDGMENT

The Court's ruling was strong and clear. At the very first instance, it held that Vihaan's arrest was unlawful. Arresting someone without informing them of the grounds of arrest goes against not only the text of Article 22(1) but also the spirit of a free and democratic society. This duty isn't optional—it's a binding requirement. Secondly, the Court dealt with the chaining of Vihaan in the hospital. It described the act as "inhuman, degrading, and wholly disproportionate." The image of a young man in chains while receiving medical care was a chilling reminder of how easily rights can be ignored.

### **The Court relied on earlier judgments such as:**

*DK Basu v. State of West Bengal* (1997)<sup>3</sup>, which laid down detailed guidelines on arrest and custody, which the police failed to comply with.

*Sunil Batra v. Delhi Administration* (1978)<sup>4</sup>, which affirmed the right of prisoners to be treated with dignity and further reinforced that they have fundamental rights, despite being prisoners.

*Sheela Barse v. State of Maharashtra* (1983)<sup>5</sup>, which protected the rights of detainees and emphasised oversight.

These precedents weren't just symbolic. They made it clear that constitutional protections do not stop at the prison gate—or the door of a hospital. Even a person in custody is still entitled to dignity, medical care, and legal protection. The usage of these precedents further solidified the court's stance that no matter what happens, a person should not be stripped of their human dignity and their fundamental rights. Recognising the seriousness of the violation, the Court awarded monetary compensation to Vihaan as a form of constitutional remedy. But it didn't stop there. It further ordered that police officers undergo fresh training on arrest procedures and custodial care. It also asked hospitals to develop clear protocols for handling detainees and to immediately report any signs of mistreatment. Installation of CCTVs in medical wards handling police detainees was also recommended.

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<sup>3</sup> *DK Basu v State of West Bengal* (1997) 1 SCC 416

<sup>4</sup> *Sunil Batra v Delhi Administration* (1978) 4 SCC 494

<sup>5</sup> *Sheela Barse v State of Maharashtra* (1983) 2 SCC 96

## CRITICAL ANALYSIS

This case wasn't just about one man. It became a mirror reflecting the everyday violations in our criminal justice system. And what it showed wasn't pretty. The police acted as if basic constitutional safeguards didn't exist. The hospital staff turned a blind eye. The procedures that are supposed to protect individuals were ignored and rendered useless. In some ways, Vihaan's case is symbolic of what many people go through. The only difference is that his case reached the Supreme Court. But what about those who don't have legal teams, public attention, or access to higher courts? For every Vihaan, there are hundreds whose stories remain unheard. The Court's judgment rightly focused on dignity—not as an abstract concept, but as something that must be upheld in every interaction between state and citizen. When the state uses force—by arresting someone—it also carries the responsibility of respecting their rights. The saying that rights and duties are two sides of the same coin was proven true in this case by the court, where accountability met responsibility. One of the most important parts of the ruling was the emphasis on institutional accountability. The Court didn't look at this as a failure of a single officer. It viewed it as a systemic lapse—and rightly so. The need for better police training, stricter oversight, and clear custodial guidelines is undeniable. What also stood out was the silence of the hospital. In many cases, doctors and nurses are the only neutral observers who see what happens to detainees. Their silence here was deeply troubling. The Court rightly asked: Why didn't anyone speak up? This question needs to be asked of all institutions, not just in this case, but whenever there is custodial abuse.

## SUGGESTIONS FOR REFORM

**Mandatory Legal Representation:** Ensure every arrested person is informed of and provided access to legal aid within hours of arrest.

**Real-Time Arrest Monitoring:** Develop a digital database for arrests accessible to family and lawyers.

**Medical Staff Training:** Train hospital personnel to recognise and report signs of abuse.

**Police Sensitisation Programs:** Conduct regular human rights training for officers at all levels.

**Independent Custodial Oversight Committees:** Set up bodies to conduct surprise checks at hospitals and jails.

These are not utopian ideas. They are practical steps to bring our justice system closer to the ideals set out in the Constitution.

## CONCLUSION

The *Vihaan Kumar* judgment was more than a reminder of what the law says—it was a reminder of what justice should feel like. It challenged the assumption that people in custody can be treated however the state pleases. It demanded dignity where there was none. It insisted on accountability when institutions failed. But for this judgment to have a real impact, it can't just sit in law reports. The reforms must be implemented. The orders must be followed. And the public must stay aware. Vihaan's story shouldn't just end in a courtroom. It should lead to real change—so that the next time someone is arrested, their rights are not seen as optional, but as essential. That is the promise of the Constitution. And that is the promise we need to keep.