

A Theft and Death Sentence

Murder in Patel Nagar Police Station

**People's Union for Democratic Rights
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Jairam, a resident of Punjabi basti, Baljeet Nagar, died on the morning of 19th August in the custody of the Patel Nagar P.S. His is the seventh custodial death that has taken place this year.

The story of the life and death of Jairam, age 50, is a chillingly familiar one. The closure of Delhi Cloth Mills rendered Jairam jobless. He along with his two sons, Dalip (in the twenties) and Manoj (age 15) have been eking out a living through casual and contract labour. A more regular if meagre source of income has been obtained by letting out two rooms of his house. Jairam, his family including his nephew, Amarjeet and his wife live in one room of their house.

The immediate events leading to the murder of Jairam unfolded in the afternoon of 18th August. Four policemen, including Satbir Singh Arya, made repeated rounds of Jairam's house that afternoon. They were looking for Manoj who was suspected of a theft that had taken place at a marriage party that day. A bag containing Rs.1000 and a gold mangalsutra had been stolen. Manoj was finally picked up when he returned home at 4.30 p.m.

Nearly four hours later, that night Manoj was brought back, handcuffed to Punjabi basti. He'd been badly beaten and was barely able to walk. The police now began questioning Jairam. Manoj had confessed to having stolen the money and chain and said that he had given them to his father. His mother Ramveti feels that Manoj confessed only to escape further beating. When the PUDR team met Manoj on the 21st, his body was still swollen from the beating and lathi marks were clearly visible.

Jairam, Manoj, Ramveti, Amarjeet and his wife were all taken to the police station for questioning. According to the police records however, only Jairam and Manoj were officially taken into custody. Ramveti and Amarjeet's wife were allowed to go home, after being subjected to some beating, at 11.30 p.m.

In the meantime there was no let-up in the "third-degree" interrogation of Jairam. He was seen alive for the last time by Amarjeet at 1.30 that night.

Later the same night (2.30 a.m.) Ramveti who was asleep in the verandah was woken up rudely by some policemen who had come to her house. She was threatened with dire consequences

and told to remain discreet. Badly frightened Ramveti did not tell anyone of this encounter until much later.

The police returned yet again at 6.00 a.m. in the morning. This time they enquired about the whereabouts of Dalip. He was the only member of Jairam's family who had not yet been subjected to police hospitality and was hiding at a neighbour's house.

Ramveti and Amarjeet were taken to the police station. On reaching the thana Ramveti was confronted with the corpse of her husband.

The police told Jairam's family that Jairam had suddenly complained of an acute stomach pain at about 3.00 in the night. He was rushed to Khera Nursing Home. The medical note prepared on admitting Jairam states that he had a clear chest, an empty abdomen and was conscious. He was discharged an hour later (4.00 a.m.) after being given two injections. Ten minutes later Jairam collapsed and died even as he was leaving the nursing home. He had been declared fit a few minutes earlier by the attending doctors!

Thus ended the life of one of the many millions who have been marginalised in our society. It would have become another uncared for death, consigned to an interminable maze of legal proceedings and enquiries. But as the news of Jairam's murder spread in Punjabi basti an agitated mob, of nearly a thousand persons began collecting at the police thana, the same morning. The police attempts to disperse the crowd sparked off a near riot. Tear-gas and lathis were deployed to quell the anger and anguish of those who mourned Jairam's death. Soon after, the original case of "culpable homicide not amounting to murder" (Section 304) that had been filed against three policemen- SI Satbir Singh Arya, ASI Shriram and constable Satbir was changed to one of murder (Section 302). The three suspended policemen have been arrested and the SDM enquiry is underway.

A few questions continue to disturb.

1. How did suspicion come to rest on Manoj? The police claim that Suraja friend of Manoj had identified him as the thief. Suraj, incidentally, had been caught along with Manoj in a case of petty theft two months ago (16.6.91). Why the police chose to release Suraj and detain Manoj is not clear.

2. Why was Jairam taken to a private nursing home when Ram Manohar Lohia Hospital is not far away? The appalling negligence of the doctor's at the Khera Nursing Home is evident in the stark fact of Jairam's death minutes after being declared fit and discharged. In any case the manner in which Jairam's case was treated is revealing, if not of blatant collusion at least of fatal callousness of the doctors involved.
3. Finally why should the SHO V.P. Singh be allowed to escape with the farcical charade of "transfer" discipline? V.P. Singh was conveniently out on night patrol duty at the time that Jairam was being interrogated. The records state that he was away from 11.00 p.m. to 4.30 a.m. but Jairam's family are certain that they saw him at the thana. The SHO refused to talk to the PUDR team when they sought a meeting with him.

In any case the failure and lack of will when it comes to disciplining higher officials and making them accountable for what happens in their jurisdiction has perpetuated the dehumanising processes of "law and order" maintenance in our society. This is evident in the recent spate of custodial deaths. (It might be noted that a custodial rape took place in May last year under the tenure of the same SHO V.P. Singh. No action was taken against him.)

In the end it is only active people's protest that ensures that the mechanisms of law and order maintenance are not violated by those who are charged with the responsibility of maintaining law and order.

PUDR demands

1. The suspension of the Patel Nagar SHO.
2. Compensation be paid to Jairam's family

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