

Tragedy of "Errors"

A Death Via Two Police Stations

**People's Union for Democratic Rights
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Bakhtawarpur village in north west Delhi is situated around four kilometres off the G.T. Road near Alipur. The village houses 8,000 people in a main settlement and one dalit tola. The residents of the tola do not own any land apart from their houses and derive their livelihood from petty vending. Raj Kumar (21) along with his wife, parents and two sisters lived in a house in the tola. The father worked as a mason and Raj Kumar supplemented the family income by hawking vegetables. Raj Kumar left home on 5 July 1992 and died at a hospital on 7 July.

Sequence of events

5 July: At 11 p.m. Raj Kumar went out of the village to ease himself with only an underwear on him. He never returned.

6 July: The police called Harnam Singh, father of Raj Kumar, to Alipur police station. At the P.S. he was told that his son had been picked up at 2 a.m. the previous night from Sungarpur, a village one kilometre away from Bakhtawarpur. The police suspected him of a theft attempt. Harnam Singh was told that a payment of Rs. 500 would ensure the release of his son. As he had no money of his own, he told the police that Raj Kumar's uncle (who is the personal security officer to Devi Lal, ex chief minister of Haryana) would come to the P.S. and secure Raj Kumar's release. At this point Harnam Singh saw his son who seemed physically fit.

July 7: At 11 a.m. the Alipur police came to Harnam's house. He was told that his son had "run away" from the P.S. last night.

Later, at 2 p.m. the police returned and told Harnam Singh that his son had been picked up the previous night from Swaroop Nagar (six kilometres from Alipur P.S.) by the Samaipur Badli police. He had allegedly intruded into the Kallu's house. Kallu, a chowkidar, and his wife had raised an alarm. People from the neighbourhood had gathered. Raj Kumar was badly beaten up by the crowd and was admitted to Bara Hindu Rao hospital. Hearing this, Harnam Singh along with some other people from the village, went to the hospital. Harnam claims that they found Raj Kumar in dying state, with his

arms and ribs broken and body swollen due to severe injuries. A little while later he was declared dead.

8 July: At about 9 a.m., after the body was brought to the Alipur P.S. in the morning, Raj Kumar's relatives and about 2,000 villagers from the area started collecting there. They accused the Alipur police of murdering Raj Kumar in custody and demanded that a criminal case be registered against Ishwar Singh, Sub Inspector, the investigating officer in this case.

The Police Version

The police claim they picked up Raj Kumar on the night of 5 July following a complaint by K.S. Chauhan, a well-to-do landowner of Sungarpur village. He suspected Raj Kumar of theft. When Raj Kumar was brought to the P.S. and questioned, the police realised that he was mentally unsound and he was not a thief. So the next morning they informed his father who, the police claims, expressed his inability to take Raj Kumar back because of his mental state and told them that Raj Kumar's uncle would come to the P.S. to take him back.

Then, the police claims, Raj Kumar had absconded from the P.S. on the evening of 6 July. The ACP and the SHO stated that Raj Kumar was seen soon afterwards at a cultural gathering near the P.S. at around 9 p.m. Police is silent on why the mentally retarded Raj Kumar was not brought back at this juncture.

After this he was again arrested by the police from outside Kallu's house by the Samaipur Badli police, where he had already been badly beaten up by the people assembled there for entering the house with intent to rob. Apparently Raj Kumar had also beaten Kallu with a steel rod.

Raj Kumar was admitted to the hospital where he succumbed to his injuries. He had been brought there by the Samaipur Badli police at 3 a.m. and breathed his last at 4.30 p.m. on 7 July 1992.

The police deny that this is a death in custody. The fact that two police stations are involved successfully confuses the matter. But the stark fact remains that the unnatural death

of Raj Kumar is marked by the lurking presence of the police.

Even if one accepts the version of events supplied by the police, Raj Kumar's death raises some questions.

1. Raj Kumar was initially picked up by the police because of K.S. Chauhan's telephonic complaint. But there is no entry pertaining to this in the daily diary. Further, there is no record of Raj Kumar being brought to the P.S. for questioning or of his eighteen hour confinement in the P.S. premises.
2. The police claims that the deceased was mentally retarded. His family and the villagers categorically deny this. What yardstick did the police use to ascertain their claim.
3. The reason for "mentally retarded" Raj Kumar, being allowed to leave the P.S. defies reasoning.
4. There was an eight hour delay between the time Raj Kumar was brought to the hospital and the time his family was informed. This is despite the fact that the Samaipur Badli police had his name and address.

After the protests by the residents of Bakhtawarpur and its neighbouring villages, three policemen were suspended, including S.I. Ishwar Singh. Much later the SDM announced an enquiry into the death.

The death of Raj Kumar demonstrates yet again, the callous negligent attitude of the police when dealing with those who lack a voice. They live on the fringes of society where death passes by unnoticed. But the massive protest against police complicity in the death of Raj Kumar forced its recognition. The tragedy of Raj Kumar's death is not that the police were excessively negligent, it is that in an inherently inequitable society such as ours, the police machinery does not, and probably cannot, show any sensitivity or concern for those who are poor and downtrodden. Death then becomes as cruel and brutal as life had been.

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