

**A**  
**"Criminal" Investigation**

*Death in Custody of Gurgaon P.S*

**People's Union for Democratic Rights**

**Delhi**

**April 1993**

The death of Ashok in the custody of the Gurgaon P.S., has raised, in the starkest manner possible the spectre of arbitrary police violence. The violence in this case spreads across two police stations, and is not limited only to the torture and death of Ashok. PUDR investigated the case.

#### FAMILY VERSION

Ashok, a 22 year old, belonged to the notorious Bawaria tribe. He had been picked up on 9 February, from his home in Jehangirpuri, by the Jehangirpuri P.S., along with six other relatives, including his mother and sister Vimla. This was in connection with the investigation of a murder in the area.

All seven have been illegally confined and interrogated in the Jehangirpuri P.S. for varying lengths of time without any record being made in the Daily Diary. They were not allowed to talk to each other, sit, sleep, eat or even drink water for the first two days on the specific instructions of the S.H.O Ishwar Singh. They were severely beaten, and tortured. The police tried to force Ashok to have intercourse with Vimla, He was made to drink petrol.

Vimla was allowed to leave with her mother and one brother Shyam on the February 11. However, the others, Ashok, Kewal, Vinod and Ram were detained even though there were still no charges framed against them.

Despite being threatened with dire consequences if she disclosed the treatment meted out to her in custody, Vimla contacted Janvadi Mahila Samiti and with their help organised a press conference on February 19. Soon after Ashok, Vinod and Kewal were shifted from Jehangirpuri P.S without informing the family. But Ram, the eldest brother was released on February 23. Ashok had been in a critical condition when Ram had last seen him. He could not sit or have any thing other than fluids.

The family came to know only much later, through a letter Ashok managed to send out, that Ashok, Kewal and Vinod had been shifted to Sukhrali P.S. (Criminal Investigation) in Gurgaon, from February 22 onwards. They were subjected to further interrogation and torture in the police station. Their detention was now in connection of investigations into a robbery. Ram, the

brother, on receiving the letter immediately went to the police station. By then Ashok's condition had deteriorated sharply. He was taken to a local hospital. The doctors there said that there was nothing they could do and referred him to the Rohtak Medical Hospital. He was admitted on March 10. Ten days later on March 20 he was declared dead. Kewal and Vinod continued to be in the hands of the police, even after Ashok's death. The bereaved family's chief worry was about Kewal who had also been made to drink petrol.

### POLICE VERSION

The SHO Jehangirpuri P.S. when contacted denied outright even the fact of any of these seven persons having been brought to the P.S. A number of persons including Ashok and his family had been interrogated in connection with a murder investigation. But according to the SHO all the interrogations had taken place in their houses. No one had been brought to the police station. The SHO even suggested that the allegations against the police station was an attempt to discredit them and stonewall the murder investigation. When asked, he admitted that no headway had been made in the case. Beyond the conviction that the murderer belonged to the bawaria tribe, a tribe the British government had designated as "criminal", the police had found nothing that could pinpoint the blame on any person. So any bawaria, especially one who is unemployed or with some criminal record, became suspect. The inherent criminality, obdurateness and deceitfulness of the tribe was drilled into the fact-finders, possibly as a rationale for the use of the third degree in investigation involving bawarias. The role of the police of criminal investigation agency, at Sukhrali, is equally suspect. The police station has been involved in various investigations connected to bawarias. On January 3, Vimla's two school going sons had been picked up by the Sukhrali police, from her home without taking permission from the local police. They were released two days later, after being badly beaten. It seems that the basic thrust of their interrogation was to identify other bawarias.

Bawarias have been a lot in the news, in the past year in the context of various unsolved robberies and murders in posh colonies in outer Delhi. The fact that the deceased and his family belong to the "criminal" tribe of bawarias,

underscores the impunity with which the police have been able to exceed all norms of legality and humanity in this case. The Janvadi Mahila Samiti demonstrated outside Haryana Bhavan to protest against Ashok's murder. No enquiry, no departmental action, has been initiated. The family continues to knock at all doors, seek all avenues, in a search for justice.

Incidentally the murder being investigated by the Jehangirpuri police has nothing to do with these crimes which are also under the purview of the Criminal Investigation Agency. The newspapers reported on 28 March, that four persons involved in these robberies, dacoities and thefts had finally been booked. All four belonged to the same village Jhinjhana in Muzaffarnagarh, from which Ashok's family came. The case had been solved. But the brutal death of Ashok bears grim testimony to the horrifying truth behind these arrests.

#### **PUDR demands**

A judicial enquiry into the matter,

Prosecution of the concerned Gurgaon Police, and appropriately  
stringent action against the Jehangirpuri Police,

That Vinod and Kewal be produced before a magistrate or else  
released immediately, and

Compensation be given to the family of Ashok.

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