

An Accidental Suicide ?

Death in the Custody of Ashok Vihar Police

People's Union for Democratic Rights

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A car comes to a halt beside the curb on a busy road. One of the occupants comes out to make a phone call. Soon after a shot rings out from within the car. Only the remaining four occupants hear it. One of them is fatally wounded. Another is since "missing". These two are the only "civilians" in the car. The people left to give evidence are the man who held the gun and his accomplice, both personnel of the Delhi Police. They claim that the pistol was fired by the victim during a scuffle. Thus takes place the fourth death in the custody of the Delhi Police this year.

Sawan Park is a basti with narrow garbage-laden streets situated along the railway line behind Satyawati College. In one house in K block resides Vinod, with his mother, sister, two elder brothers, their wives and children. Both Vinod's brothers work as sweepers in the Municipal Corporation. Vinod too had been trying to get a similar job. In the absence of any full-time employment, Vinod engaged himself in odd jobs in the basti sometimes cleaning open sewage drains or doing small repair jobs. He was accused in a number of cases relating to robbery and carrying knives. Though not convicted for any offence, Vinod became part of the list of bad characters listed at the Ashok Vihar police station. Many other unemployed youth at Sawan Park also find their names mentioned in this list.

On 16 August 1993 a robbery took place at E-40, Phase I, Ashok Vihar. As is the normal practice of the Delhi Police all 'bad characters' from the police station area were rounded up the next day. Vinod was not at his house that time. The newspapers on 19 August carried the rest of the story as was later narrated to us by the police. Vinod was found loitering near Satyawati College on 18 August. When questioned about the robbery, Vinod stated that he was at his aunt's house at Basant Gaon at that time. Police took him to Basant Gaon where Vinod's aunt informed to police that Vinod had not visited them for the past three years. While returning to Ashok Vihar around 3.45 p.m. one of the policemen got off the car near Liberty Cinema on Deshbandhu Gupta road to make a phone call to his superiors. At this time Vinod snatched

the service revolver from the constable and "probably overcome by remorse" shot himself right through the temple. He was immediately taken to Hindurao hospital and then to AIIMS. A case was registered at the D.B. Gupta Road P.S. Vinod meanwhile was battling for life.

As in most cases of custodial death, the family has little to offer by way of evidence. Yet some points of disagreement persist. Vinod's mother claims that police came to Sawan Park on the morning of 17 August. Many youth were taken to the Police station. Vinod's mother told the police that Vinod was away and would stay the night at his aunt's house. Vinod came back that evening around dinner time. His mother told him that police had come asking him to report at the police station. Vinod's brother and another youth from the basti had left for the police station just before Vinod had arrived. Vinod hurried to join his brother. The three were kept in the police station for the night. They were separately questioned and beaten. Before noon the next day Vinod's brother and the other youth were let off. Vinod was taken in a private car to Basant Gaon. The family was informed around 9.20 p.m. that Vinod had shot himself. In the next 18 days the family used up all their savings and even took loans to finance the treatment. Vinod died in hospital without gaining consciousness. The dead body was sent for post mortem examination and Sub Divisional Magistrate, Kotwali started the mandatory inquest. Three policemen, SI R.S. Dahiya, Head Constable Ratan Lal and Constable Inder Singh were placed under suspension.

As yet the SDM inquest has not reached beyond the stage of collecting evidence. The post mortem report too has not yet been submitted. It will in any case be unable to provide any clue to substantiate or disprove the police story about the shooting incident in the car. Eighteen days had elapsed between the time of the shot and Vinod's death. But the circumstances and available evidence raise many questions.

At 3.45 p.m. just after the noon show at Liberty Cinema ended, no one in the crowded Dhabas and the lane near the cinema hall heard the

gun shot. Thus the absence of any independent witnesses. This seemingly neat arrangement is marred by a few minor flaws. For one the SI got off the car and left his service revolver with the constable who is not authorised to carry a gun. Then again the safety catch of the revolver was not on. And even the alibi of the SI getting off the car to make a phone call is flimsy. Liberty cinema is 5 kms. from the Ashok Vihar P.S., not more than a ten minute drive in the car. Such an important phone call surely needs a bit more explanation! And finally there is the seemingly minor change in the police account. Initially Vinod was supposed to have attempted suicide. Later it became a scuffle wherein he tried to snatch the revolver in order to escape. Within seconds he changed his mind and shot himself with exceptional accuracy right through his temple. Even more exceptional is the clarity with which the police could read his mind at every instant !

This change in the story is helpful since it ends the need for the shot to have been fired from a point blank range. Thus it also ends the relevance of the reports by medical experts. How all these loose ends are to be tied or left hanging are now the sole responsibility of the SDM conducting the inquest. But all these will be of little significance to Vinod's family. They would never get to know the result of the inquest as the inquest report would become confidential as soon as it gets ready. PUDR reiterates its demand to make the SDM inquest reports public.

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