

A Lover's 'Suicide'

Custodial Death in ISBT Police Chowki

**People's Union for Democratic Rights
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Twenty-year-old Ravinder, a vegetable vendor in Modinagar (Uttar Pradesh) came to Delhi for some work on the morning of 24 February 1996. At 7 p.m. his parents in Modinagar were informed by Delhi Police that he was dead, and that his body was lying at Hindu Rao Hospital. This is the second 'suicide' by poisoning in the custody of Delhi Police in 1996. We met police officials, doctors and family members. Two different accounts emerged in our investigation, one official and the other from the family.

POLICE VERSION

On 24 February a DTC employee Amar Singh (resident of Modinagar) brought a neighbour Ravinder, from one of the platforms of ISBT to the local police chowki. He accused Ravinder of having abducted his fifteen-year-old daughter. The police made an entry in the Daily Diary at 10:40 a.m. They searched Ravinder's bag, and found some letters addressed to

the girl! They did not arrest him but detained him in the chowki, since Amar Singh had told them that he had filed a complaint in Modinagar. They asked Amar Singh to go back and inform the police at Modinagar, since the case was beyond their jurisdiction.

Within ten or fifteen minutes of Amar Singh's leaving the ISBT chowki, Ravinder consumed poison, which he was carrying in his bag, and which had not been found when the police searched his bag. The police explained this by saying that Ravinder's forehead had a bandaged wound, and he was carrying medicines in his bag, amongst which the bottle of poison could not be distinguished. He was rushed to Hindu Rao Hospital, and reached there around noon. He died in hospital at around 5 p.m. According to the police the poison he had consumed was a pesticide meant for storing grain, very easily found in the market.

The girl's father Amar Singh returned from Modinagar at around 4 p.m. the same day, and told the police that his daughter had returned home from Ravinder's house. He had not filed a case at Modinagar because the girl had returned, and the police case would only bring further publicity and humiliation.

The family was informed, and the post-mortem was conducted on 27 February by a team of three doctors at the Civil Hospital Mortuary. In addition to the mandatory SDM's inquiry (under Section 176 Cr.PC), an internal police inquiry is being conducted by the Additional Commissioner of Police of the District Crime Cell (North). But no First Information Report has been filed in the case.

FAMILY VERSION

Ravinder's family lives in Modinagar in a tiny house with one room and a courtyard. From their courtyard, the terrace of Amar Singh's two-storey house is visible. The two houses are separated by a row of tiny houses in the middle. The economic disparity between the two families is only too visible. Ravinder used to buy vegetables from the mandi at Modinagar every morning, and his mother would take the cart around and sell the vegetables. He was the youngest son among four, the only one staying with his parents.

The family were unaware of any relationship between Ravinder and Amar Singh's daughter. They refuted Amar Singh's charge that his daughter had taken refuge in their house. They also said that two or three days before Ravinder died, he had been assaulted by one of the members

of the girl's family when he had gone to assist at a wedding in the basti. This had resulted in a cut on his forehead, which he had had bandaged. His family lodged a complaint against the assault at Modinagar Police Station, but no action was taken.

The family alleges that on 24 February, Ravinder had been followed from Modinagar to Delhi by members of the girl's family in a car. That when he got down at ISBT, they had beaten him up badly. That they had then dragged him to the police station, where he was beaten up further. And that he died as a result of these injuries. They insist that he was not carrying any poison or even medicine with him, since he had gone to Delhi to fetch his sister back from a wedding she had gone to attend.

CONTRADICTIONS

The post mortem report is yet to come out. But the initial findings point to death by poisoning, and rule out the possibility of torture. Despite the two contradictory accounts, two facts remain uncontested: that Ravinder was detained at ISBT police chowki for at least half an hour, and that though his pockets and bag had been searched no poison was found on him. So the onus is now on the police to prove that they are not responsible for his death.

Certain queries persist. Given that Ravinder had been assaulted by the girl's family only days before his death, it is unlikely that he would have gone willingly with them to the police chowki at ISBT. Some form of coercion, even assault, may be inferred. Secondly, when two parties approach the police with a quarrel whose complaint is lodged in a different state, it is appropriate that the police either detain both parties and send a message, or at least go with one of the parties to investigate. But in this case, even though they had no evidence other than his own statement that he had registered a complaint with the Modinagar police, Amar Singh was allowed to go to Modinagar by himself.

Unanswered questions such as these demand at the very least a full police investigation into the role of Amar Singh and his family in the entire affair, particularly because he had lied about lodging a complaint at Modinagar PS. Further, since no witnesses except policemen were present at the time when the victim is said to have consumed the poison, a First Information Report on the charges of Causing death by negligence (S.304A) or Abetment of suicide (S.306)IPC must be registered by the police, and a full investigation carried out.

On 31 December 1995, Ghulam Mohammad, a Kashmiri selling fruit at Azadpur Sabzi Mandi, died in similar circumstances in another chowki of Delhi Police (within the wholesale market). He was not a resident of Delhi, but had eloped with a married woman from a village in Kashmir. And when traced and caught by the relatives of the woman's deserted husband and brought to the Sabzi Mandi police post, he consumed poison in the presence of one policeman and the woman's brother-in-law. We were hampered in our investigation by the fact that the woman had already been sent to the Remand Home in Delhi by the SDM, and we could not get permission to speak with her. Further, she spoke no language but Kashmiri.

In both these cases, the police accounts indicate that poison was available to the victims, but was not detected by the police. In both cases, the police did not further interrogate the relatives of the other party in the relationship. Relationships between men and women who defy their families are seen as illicit and therefore 'illegal' by society. Social condemnation of these relationships and sympathy for the woman's family, sanctions police intervention on their behalf. Society then accepts willingly the story of suicide by the man, whether true or concocted by the police.

Whether the police were actively involved in these two cases of death or not, is debatable. It is perhaps possible in both cases that the police did search the victims, and did not find the poison on them. That both deaths were the result of oversight on the part of police. But death occurred in police custody when no other witnesses were present, and hence foul play cannot be ruled out. Therefore, an FIR must be registered, and it must be proved *in court* that no offence was committed.

PUDR demands that the police register an FIR under Sections 306 or 304A (IPC) and carry out a full investigation.

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