

*Old Delhi Railway station police station*

# **Murder at Midnight**

**People's Union for Democratic Rights  
September 1997**

On August 18 the newspapers reported that a man was discovered unconscious in the lock up room of Old Delhi Railway Station police station (PS) the previous night. According to the police version as reported in the press the victim, 28 year old Ramesh had attempted to strangle himself by knotting his shirt sleeve around the lock up bars. The constable on duty, Ghulab Singh, raised an alarm and with the help of other policemen untied the noose. The limp body facing the lock up door fell down. The unconscious Ramesh started bleeding as a result of head injuries sustained during the fall. Within five minutes he was bundled into an auto rickshaw and taken to Hindu Rao hospital. But he died on the way and was declared brought dead at 12.40 a.m.

Presently, the SDM Railways is conducting an inquest under section 176 of the CrPC. The post mortem was carried out on August 18 by a panel of three doctors. Later, in the evening the body was handed over to the relatives and family. The body was not taken home for the customary last rites but was almost immediately cremated in the presence of the police. The constable has been suspended and the Additional SHO who was on duty that night has been transferred to the District

**Lines.** The department inquiry is being conducted by the ACP Crime and Railways. The post mortem report has not specified the cause of death because the visceral analysis is pending.

### **Police Version**

According to the police, Ramesh had been caught red handed by a passenger whose pocket he was attempting to pick. The incident happened around 10.30 p.m. inside the Railway Station. Within a short time, the complainant brought Ramesh to the PS which is situated on one side of the main entrance to the station. An FIR No.193/97 was lodged at the PS at 11.15 p.m. Ramesh was booked under Sections 379 (theft, a cognizable and non bailable offence for which punishment is three years or fine or both) and 511(attempt to commit an offence and the punishment is either life imprisonment or half of the longest term provided in the punishment for the offence) IPC. Clearly, Ramesh had been booked under sections that are very serious for petty theft. The police are not aware of any previous criminal record.

From the duty room, Ramesh was taken to the lock up which is just a few steps away from the reporting room. The time was 11.45 p.m. In less than half an hour, Ramesh was discovered 'hanging' inside the lock up room.

### **The Bad Character**

All the police officials, the SHO, the Additional DCP and the ACP Crime and Rlys. stated that it was a case of suicide and ruled out torture. Like all bad characters, Ramesh had given a false address and was under the influence of alcohol that night. With no regular job and no regular family, Ramesh led the existence of a social drop out. Besides consuming alcohol, taking drugs and womanizing, Ramesh also used to enter into scuffles and petty quarrels. A couple of months ago he had falsely implicated his uncle by injuring himself. Building on this vindictive and masochistic side to his personality, the police are

known to have given another twist to the tale of remorse and depression that led to suicide in custody. The suicide, they said, was a stunt staged by Ramesh in order to frighten the police for locking him up. Only this time, the stunt proved fatal.

And so, the sixth death in the custody of Delhi Police happened this year and like the five deaths before it, this too has been explained away as suicide. Obviously, the question is why do so many people commit suicide whilst in the custody of the police? Equally, how plausible is the police version? Because suicide is an easy alibi for not registering an FIR against the police and for shielding the guilty. No investigation other than a routine department inquiry need be ordered and negligence can be accounted for in terms of transfers and suspensions. So, in the public eye, the police seem to take action against their own officials for an act for which they are not responsible. Yet, no FIRs are ever lodged against them, transfers are hardly punitive measures and suspensions are mostly reworked through the Central Administrative Tribunal. The police frequently maintain that the SDM inquiry is meant to determine whether or not the death had anything to do with the police. The SDM inquiry is a mandatory inquest into each and every case of unnatural death in custody and not a substitute for police investigation.

### **The clumsy cover up**

In this present case, not only is the police version untenable but clumsy as a cover up story.

The lock up is adjacent to the duty room and the SHO's office. In fact, it faces them. So, if any one is standing at the doorway of the duty room, or is waiting outside the SHO's office or is returning from the bathroom in short, anyone anywhere at the PS cannot miss the going ons in the lock up. It is impossible to believe that Ramesh strangled himself without being noticed.

Ramesh had an athletic physique and was about 5 ft 6

inches tall. The height of the horizontal bar of the door to which the noose was supposedly fastened was no more than 4 ft high and Ramesh was supposedly discovered in a semi kneeling position. The police say that he was in an unconscious state. They say that in their zeal to untie the knot they forgot to hold the limp body. Ramesh fell and injured his head and started to bleed. If his shirt sleeve was sufficient to hold his weight, then the height of the noose is not sufficient to strangle him or to lead to a fatal head injury. Hence their story of the fall and the injuries sustained is indeed ingenious. According to the SDM, the injury at the back of his head is 2 inches long and there are marks of strangulation on his neck.

Why will a man who is a habitual petty thief commit suicide in a matter of minutes? How is it possible to believe that such a man will be afflicted by remorse and depression within half an hour of his detention?

Obviously, the police is using the suicide story as a cover up for beating Ramesh on the head sufficient to make him unconscious. The torture in custody was responsible for his death directly or indirectly.

#### **PUDR demands:**

That an FIR be registered against the police under S.302 IPC for murder.

That the transfer order be changed to suspension and that all the guilty officials be suspended immediately.

That compensation be paid to Ramesh's family.

That the SDM report be made public.

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