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Death in Tihar Jail  
Crime Branch, R.K. Puram

## "A Sensational Case of Extortion"

**People's Union for Democratic Rights  
Delhi  
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A case of extortion is registered with the Crime Branch of the Delhi Police. The same day, the accused is nabbed 'red-handed'. Beaten and charged, he is sent to Tihar Jail the following day. Pleas for bail are rejected by the courts four times. Over three months later, while still in jail, the accused hangs himself from a low door. Seven days after the death, the Sessions Court opines that the case against the accused may have been motivated. Thus ended the life of twenty-four year old Raziuddin.

A team from PUDR met Raziuddin's family and neighbours. It also spoke to the DCP, Crime and Railways, at the Police Headquarters at ITO, to the Investigation Officer at the Crime Branch, R.K. Puram, and the Sub-divisional Magistrate investigating the death.

## POLICE STORY

According to a press release issued by the erstwhile DCP, Crime and Railways, the Crime Branch 'solved a sensational case of extortion by arresting one Raziuddin, who extorted money to meet the expenses of his girlfriends'. The Crime Branch had received a complaint from Ram Bhajan Kushwaha, a factory owner, to the effect that he had received threats over the phone that his school-going son would be killed unless he paid five lakh rupees to the caller. According to his complaint, on the pretext of handling the problem, Raziuddin, who was a regular visitor at his house, had collected Rs 40,000 in four instalments. On 19 January 1999, an anti-extortion team under the supervision of ACP H.P.S. Cheema 'apprehended' Raziuddin while he was accepting another instalment from Ram Bhajan. During the 'enquiries', claim the police, Raziuddin confessed to his guilt and stated that he "wanted the money urgently to live lavishly, pay back a loan and meet the expenses of his girlfriends". Regarding his subsequent death in Tihar jail, the DCP told us, over ten days after he died, that he was hearing of it for the first time.

## FAMILY ACCOUNT

Raziuddin was one of two children of Sher Khan, who came to Delhi from Madhubani, Bihar, in 1976 in search of a job. Sher Khan found work in Delhi as a labourer doing whitewashing in houses. He and his family stayed on rent in a small tenement in Maujpur, near Seelampur in East Delhi.

Sher Khan understood the importance of educating his children. Raziuddin did his B.Sc from Jamia Millia Islamia and diploma courses in Computer Science and Architecture. In order to supplement the family income and later to fund his own education, Raziuddin had been giving tuitions to children of the locality from the time he was only fourteen. Among those he taught were the children of Ram Bhajan, also a resident of Maujpur. By and by, there developed a relationship between Raziuddin and Ram Bhajan's eldest daughter, Sunita. Ram Bhajan got to know of it last year and strongly disapproved of the relationship. Sunita was married in May 1998. However the two continued to meet.

On 19 January earlier this year, Ram Bhajan called Raziuddin to his house. On the same day, Ram Bhajan had filed the complaint with the Crime Branch of the Delhi Police. According to a letter Raziuddin would write to his mother later, on reaching Ram Bhajan's house that day, he found six tall and well-built men present. Ram Bhajan bolted the door from inside and these men began to search Raziuddin. They then beat him up until he lost consciousness. He was tied up and taken to the anti-extortion unit of the Crime Branch at R.K. Puram. It was only then that he got to know that the men were police personnel.

Raziuddin was beaten throughout the night of 19 January in the presence of Ram Bhajan. Raziuddin would lose consciousness, upon which the policemen would give him water. He would regain consciousness and they would beat him up again. Such treatment of suspects by the Crime Branch seems to be the norm. In the past, the residents of R.K. Puram residing near the Crime Branch office have complained of the sound of beating and that the cries of pain coming from the office scared their children and kept people awake at night.

At 2 a.m. that night, Sher Khan received a phone call from the police informing him of Raziuddin's arrest. Family members reached the Crime Branch to find Raziuddin with face and hands swollen, bleeding from the nose and with blood stains around the nose and mouth. That evening, Raziuddin was produced before a magistrate and remanded to judicial custody under sections 386 (extortion by putting a person in fear of death or grievous hurt) and 506 (criminal intimidation) of the Indian Penal Code. His family was unable to locate a lawyer to oppose the remand as the courts were closed that day.

Raziuddin's parents and sister met him at Tihar jail on 23 January. Raziuddin was in pain. On the 28<sup>th</sup>, he sent a letter to his mother pleading that they quickly arrange for his bail, that he was unwell, and that he would die if he was not released soon. Applications for bail were moved four times, twice before the lower court and twice before the Sessions Court. The court was presented with the photographs and letters of Sunita and Raziuddin to impress upon the court that the charges against him were fabricated. But the court simply overlooked this evidence and the applications were dismissed each time. It was only on 6 May, a week after the death, when a distraught Sher Khan approached the Sessions Court, Karkardooma, to regain possession of the photographs and letters that the judge took notice of their significance. The order of the Additional Sessions Judge states that "the case against Raziuddin may have been motivated due to love between Raziuddin and Sunita". The apathetic and callous attitude of the courts thus resulted in one hundred days of wrongful detention, and eventually led to his death.

At 2 a.m. on the night of 29-30 April, the police sent information to Maujpur that Raziuddin had committed suicide in jail. On rushing to the jail, they were sent to Deen Dayal Upadhyay hospital. According to hospital records, Raziuddin was brought dead at 8.30 p.m. on 29 April. They found the body with an electrical wire tied around the neck. Photographs of the site of death show the body partly hanging from an electrical wire tied to the top of a toilet door about four feet high. The eyes and mouth were nearly closed. This is not normal in cases of death by strangulation. The report of the post-mortem examination which was conducted five days after the death is still awaited. According to the family,

the body bore injury marks on the upper back, on both knees, on the shoulder, and on the lower back close to the right kidney. Flesh was missing from the thumb of the right hand.

### CONCLUSIONS

On the basis of the letter Raziuddin wrote from jail and the account provided by the family and corroborated by neighbours, it seems clear that Raziuddin was implicated on the basis of a false complaint made by Ram Bhajan. The Crime Branch, instead of properly investigating the complaint, arrested and tortured Raziuddin in custody and forcibly made him confess to the alleged crime. The story of the police that Raziuddin was caught red-handed is in all probability false. That Ram Bhajan was present, which is completely illegal, during the beating of Raziuddin suggests foul play. The sequence of events and the background of the relationship between Raziuddin and Sunita suggests connivance between Ram Bhajan and the police to implicate Raziuddin (the same has been suggested by the Sessions Court). Further harassment to Raziuddin could have been prevented by the courts if evidence were properly examined. But the routine denial of bail led to his incarceration till he died. The story of suicide in jail has room for doubt. The description of the scene does not correspond to that of a death due to asphyxiation.

### PUDR DEMANDS

1. That the entire case should be handed over to the CBI for investigation. The inquest by the SDM, currently underway, is no substitute. Apart from being only recommendatory in nature, is limited to investigating the immediate cause of death while in jail.
2. Immediate action should be taken against the Crime Branch personnel responsible for torturing Raziuddin.
3. Exemplary compensation should be given to Raziuddin's family for implication in a false case, torture in police custody, wrongful detention, and death in judicial custody.

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