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CASES ON CUSTODIAL VIOLENCE—A GLANCE

AUTHORED BY - K JANAKI PRIYA

1. Dev Sattababu's death in Puducherry [1]

In this case, this commission received a complaint from Devu Chandra Kala that her husband was taken by police on November 10, 2011, and he died the next day in the police station. She also said that the police officers did not allow her to meet her husband, and the police did not file a First Information Report either. His wife asked for a remedy for this and needed compensation for the police action. The commission received information from the Puducherry district magistrate about this incident.

And the commission takes cognizance of this matter. On Dec 14, 2011, the Deputy Inspector General of Police stated that he died because of taking poison, and when considering this, the commission in 2015 noted that report saying he died in police custody and by the officer's negligence, so it said their relatives must get compensation for it. Then 3 lakh compensation was given, and it asked for a compliance report from the Puducherry government within a period. The report stated that compensation has been given to his wife, and it closed that case.

2. Dineshwar Prasad Yadav's Death in Central Jail (Jharkhand)

The commission got a complaint from Binay and other inmates in Central Jail Jharkhand stating that Dineshwar was arrested by the police with false charges on him as Chando Mehto. Also, the complaint was that Chando had already died, and Dineshwar was arrested with a false charge in the name of Chando and was tortured in jail. In 2013 a jailer beat him severely, and he was unconscious for 72 hours. And he was taken from jail to produce in court on 8th January 2013, but he was not returned to jail. The complainant observed that he had been murdered on his way to court, and all asked for severe action. Sundar asked for a proper inquiry into this. The Ranchi commissioner stated that he was not subjected to torture, and the executive magistrate of Dumka conducted an inquiry related to his death. The report stated that death was by suicide. And this commission noted that he was mentally ill, so when a police officer was not nearby, he went to the toilet and committed suicide. It also says that anyway, it is their responsibility to give compensation because of the police's negligent act and give compensation to his relatives [2].

3. Case in Uttar Pradesh

The National Human Rights Commission issued notice to the Uttar Pradesh government for violation of human rights in police lockup death and took cognizance of suo motu and asked for a detailed report on this matter from the director-general of police. In this, a Dalit man was arrested in a case of theft, and his family complained that the police asked for a bribe to leave him. They weren't able to arrange it, so they tortured him. The commission asked whether compensation was given or not to the victim's family. [3]

The commission also says that when a person dies in police custody in police lockup, then the information must be given immediately to the commission.

Other few cases:

- **Custodial death—Shri Shanskhem Kharsaiot [4]**

In this case, the person died in police custody, and everybody protested outside the police station. Then the commission dealt with this matter and gave compensation to his family for the custodial death that happened in police custody.

- **Custodial death—Madan Lal (Delhi) [5]**

The commission took cognizance of the death of Madan Lal in police custody and noted that 3 constables were responsible for his death, and because of their force, he died. It was observed that compensation of 50,000 was to be paid to his family.

- **Custodial death—Shri Udayan (Kerala) [6]**

The person Udayan died in police custody in this case due to a police attack on him; he committed suicide, so the commission said the case must be registered against the police and compensation must be paid.

- **Custodial death—Atal Mishra [7]**

In this case, the relative of the deceased said that he was killed by police in their custody and asked for compensation. The Commission mentions that the state must give compensation to it.

- **Death of Punjabhai Thakor [8]**

The person was arrested in a theft case. During the investigation, he said he was feeling giddy and was admitted to the hospital, but the doctor was unavailable. The constable checked his pulse and found him dead. They left the dead body and went to the police station. At that time rats had bitten it. The post-mortem report states it is due to cardio-respiratory failure, so the commission observed it was a negligent act by police in this case and ordered them to pay

compensation.

· **Custodial death—Abdul Gafar [9]**

This commission got messages from the district magistrate and superintendent of police of Goa related to the death of him—that is, he was arrested and died on the same day. The magistrate inquiry says that he died due to severe injury while in police custody, and four police involved in it are suspended.

· **Custodial death—Shri Bundoo [10]**

In this case, the person has grievous injuries while he jumps from the jeep and falls in front of the speeding bus. It was observed that the police in that jeep acted negligently, so the commission asked to conduct an inquiry on the police.

· **The accused died in lockup (Nagpur) [11].**

The accused died in this case because police beat him violently, and due to that, he suffered injuries too, so the commission, on accepting the magistrate report, gave compensation of Rs 50,000 to his family.

· **Fruit vendor dead by police [12]**

A fruit vendor named Matloob was beaten by the police and had injuries. The commission stated that there is a violation of human rights by the police and regrets the behavior of the police and ordered Rs 2.5 lakhs to his family as compensation.

· **suicide in police custody [13]**

The commission got a complaint from the people's union for civil liberties regarding the suicide of a person in police custody and awarded compensation to the victim's family.

· **witness dead in the police station [14]**

The witness was kept detained in police custody and said he had chest pain and asked for medical help, but the police refused. Due to this, he died. The commission held it was negligent on the part of the police and awarded compensation to his family.

CITATION & ONLINE SOURCES

[1] 1998 ACJ 632

[2] AIR 2004 Jhar 66

[3]<https://timesofindia.indiatimes.com/city/lucknow/nhrc-notice-to-up-govt-on-custodial-death-torture/articleshow/71617422.cms> accessed on April 25, 2022

[4] AIR 1993

[5] AIR 1993

[6] AIR 1994

[\[7\]](#) AIR 1997

[\[8\]](#) AIR 1998

[\[9\]](#) AIR 1995

[\[10\]](#) AIR 1996

[\[11\]](#) AIR 1999

[\[12\]](#) AIR 1996

[\[13\]](#) AIR 1996

[\[14\]](#) AIR 1996

