

**Case Details of File Number: 1869/19/15/2013-AD****Diary No:** 1074449**Name of the Complainant:** AMAL KANTI CHAKMA, COMPLAINTS COORDINATOR**Complainant Address:** ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND FLOOR), JANAKPURI,**Name of the Victim:** GURDEV SINGH GEWA**Place of Incident:** PATRAN (LOCAL POLICE STATION)**Date of Incident:** 07/07/2013**Action Taken:**

This case pertains to death of one Gurdev Singh Gewa who was arrested by the police in a case of sexual harassment of a minor girl, and was found hanging under mysterious circumstances inside the bathroom of the police station under Patran Tehsil in Patiala District, Punjab on 07.07.2013. The Commission vide its proceedings dated 20.06.2016 observed and directed as under: "After receipt of the show-cause notice, the SSP, Patiala has merely denied the negligence on the part of the police personnel. The Commission after a detailed consideration of the entire matter is of the view that this is a fit case wherein the Commission should be recommending for payment of monetary relief to the next of kin of the deceased. Therefore, the reply to the show-cause notice of the SSP, Patiala cannot be accepted. That apart, the SSP has made an attempt to justify the stand of the police on the ground that the deceased committed suicide by hanging himself from the fear of stigma on his character and ill reputation in family and society. The Commission is unable to accept this explanation for want of any concrete material to sustain the stand of the police. In view of the above, we now recommend to the Government Punjab, Chandigarh to pay a sum of Rs. 1.00 lakh as monetary relief to the next of kin of the deceased Gurdev Singh Gewa. Chief Secretary, Government of Punjab shall submit the compliance report along with proof of payment within eight weeks." Pursuant to the directions of the Commission, SSP, Patiala vide communication dated 19.11.2016 has forwarded a copy of the receipt regarding payment of compensation of Rs. 1.00 lakh to the next of kin of the deceased Gurdev Singh Gewa. In view of compliance of recommendation of the Commission, the case is closed.

**Status :** Action Taken On 29/12/2016**Action Due Date:** 29/12/2016

# National Human Rights Commission

New Delhi, India

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**Name of the Complainant** AMAL KANTI CHAKMA, COMPLAINTS COORDINATOR  
**Address** ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND FLOOR), JANAKPURI, WEST DELHI , DELHI  
**Name of the Victim** GURDEV SINGH GEWA  
**Address** VILLAGE. TARTA, PATRAN TEHSIL, PATIALA , PUNJAB  
**Place of Incident** PATRAN (LOCAL POLICE STATION)  
 PATIALA , PUNJAB  
**Date of Incident** 7/7/2013

The complainant has alleged death of one Gurdev Singh Gewa in local police station under Patran Tehsil in Patiala District, Punjab on 07.07.2013. It has been further alleged that the deceased was arrested by the police on 07.07.2013 in a case of sexual harassment of a minor girl, and was found hanging under mysterious circumstances inside the bathroom of the police station. The inquest report received in this matter revealed that the deceased Gurdev Singh Gewa was arrested in a case u/s 354, 506 IPC and u/s 3/4 of The Protection of Children from Sexual Offences (POCSO) Act 2012, and had committed suicide in the toilet of the police Chowki. No injury mark was found on the body of the deceased. The post mortem examination report also did not show any antemortem injury on the body of the deceased except one ligature mark on the neck. The cause of death was given as "asphyxia as a result of ante-mortem hanging which is sufficient to cause death in ordinary course of nature". The magisterial enquiry report also concludes that the deceased committed suicidal hanging in the washroom of the police post. The relevant reports have been received. Since this is a case relating to the death in the police custody, let the case be sent to a D.B. for consideration.

### Direction issued by the Commission

### Action Taken

Status on 11/27/2014

### Additional Information Called for (Dated 7/7/2014 )

Response from concerned authority is awaited.

**Note:** For further details kindly contact **National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023**

**Tel.No. 24651330 Fax No. 24651329 E-Mail: covdnhrc[at]nic[dot]in, ionhrc[at]nic[dot]in**

**नोट:** अन्य जानकारी हेतु कृपया संपर्क करे राष्ट्रीय मानव अधिकार आयोग, मानव अधिकार भवन, ब्लॉक-सी, जी.पी.ओ. कम्प्लेक्स, आई.एन.ए., नई दिल्ली - 110023,

**फोन नं. 24651330 फैक्स नं. 24651329 ई-मेल : covdnhrc[at]nic[dot]in, ionhrc[at]nic[dot]in**

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**अस्वीकरण :** नेट पर प्रकाशित सूचना में, अनजाने में हुई किसी भी गलती के लिए न तो एन.एच.आर.सी. न ही एन.आई.सी. जिम्मेदार है।

# National Human Rights Commission

New Delhi, India

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**Address** ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND FLOOR), JANAKPURI, WEST DELHI, DELHI  
**Name of the Victim** GURDEV SINGH GEWA  
**Address** VILLAGE. TARTA, PATRAN TEHSIL, PATIALA, PUNJAB  
**Place of Incident** PATRAN (LOCAL POLICE STATION) PATIALA, PUNJAB  
**Date of Incident** 7/7/2013

The complainant has alleged death of one Gurdev Singh Gewa in local police station under Patran Tehsil in Patiala District, Punjab on 07.07.2013. It has been further alleged that the deceased was arrested by the police on 07.07.2013 in a case of sexual harassment of a minor girl, and was found hanging under mysterious circumstances inside the bathroom of the police station. The inquest report received in this matter revealed that the deceased Gurdev Singh Gewa was arrested in a case u/s 354, 506 IPC and u/s 3/4 of The Protection of Children from Sexual Offences (POCSO) Act 2012, and had committed suicide in the toilet of the police Chowki. No injury mark was found on the body of the deceased. The post mortem examination report also did not show any antemortem injury on the body of the deceased except one ligature mark on the neck. The cause of death was given as "asphyxia as a result of ante-mortem hanging which is sufficient to cause death in ordinary course of nature". The magisterial enquiry report also concludes that the deceased committed suicidal hanging in the washroom of the police post. The Commission has considered the material placed on record and notices that the deceased Gurdev Singh Gewa committed suicide in the police custody, and the public servants could not ensure that the person in their custody should not harm to himself or others. Therefore, the State is vicariously liable. In these circumstances, let a notice be issued to the Chief Secretary, Government of Punjab, Chandigarh u/s 18 (a) (i) of the Protection of Human Rights Act, 1993 to show cause within six weeks as to why a sum of Rs. 1,00,000/- as interim monetary relief should not be recommended to next kin of the deceased Gurdev Singh Gewa.

### Direction issued by the Commission

**Action Taken**  
**Status on 4/26/2014**

**Note:** For further details kindly contact **National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023**

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S/S  
04/06/14