

National Human Rights Commission

Diary No	7856/IN/2019	Case / File No	19281/24/51/2019
Victim Name	RAJU	Registration Date	16/07/2019

Action List (Click on Action given in blue color to view details)

Action No.	Action	Authority	Action Date	Due Date	Completion Date
3	Additional Information Called for	THE SUPERINTENDENT OF POLICE MAINPURI, UTTAR PRADESH	28/01/2020	24/03/2020	
2	Additional Information Called for	THE SECRETARY UTTAR PRADESH STATE HUMAN RIGHTS COMMISSION, TC-34, V-1, VIBHUTI KHAND, GOMTI NAGAR, LUCKNOW-226010	23/07/2019	01/09/2019	
1	Action Taken Report Called for	THE SUPERINTENDENT OF POLICE MAINPURI, UTTAR PRADESH	23/07/2019	01/09/2019	06/12/2019

[Expand All Action List](#)[Action](#)**Action : Additional Information Called for(Action No 3)**

Action Date	28/01/2020	Due Date	24/03/2020	Completion Date	
Authority	THE SUPERINTENDENT OF POLICE, MAINPURI, UTTAR PRADESH				

Proceeding

The complainant Shri Dhana Kumar, Coordinator, Campaign Against Torture, New Delhi has alleged that one Raju, who belongs to Scheduled Caste community was tortured by the police of Bichhwan Police station where he went to lodge complaint about abduction of his wife by three unidentified persons from the Aligarh-Kanpur highway on the night of 05.07.2019. Hours later the wife of the victim reported to the police that she had been gang raped after abduction. The complainant has sought intervention of the Commission for judicial inquiry, legal action against all the police officials and payment of compensation to the victims.

The Commission took cognizance of the matter on 23.07.2019 and transmitted a copy of the complaint to the Superintendent of Police, Mainpuri, Uttar Pradesh calling for an action taken report within 4 weeks.

The Commission also sought to obtain the date of cognizance of the complaint by UP State Human Rights Commission. However, no response has been received from the State Commission so far.

Pursuant to the directions of the Commission, the Superintendent of Police, Mainpuri, UP has filed the report dated 27.11.2019, along with the report of Circle Officer, Kurawali, District Mainpuri dated 09.11.2019. The report reveals that on the complaint of complainant Shri Raju S/o Shri Surajpal Singh a crime case No.257/2019 u/s 376D/364/392 IPC dated 06.07.2019 was registered at PS Kurawali against unknown persons. During investigation the name of accused persons Anil Kumar @ Amit Kumar, Sheelendra and Lalu @ Satendra came to light. Accused Anil Kumar @ Amit Kumar and Sheelendra were arrested by the police of PS Pilua, District Eta on 09.07.2019. Section 411 IPC and Sec.3(2)5 SC/ST Act were added. One 325 bore revolver and 02 box cartridges and 08 live cartridges 315 bore and one Apache motor cycle without number and one pair anklets and looted Rs.4940 were recovered from accused Lalu @ Satendra. FIRs were registered at PS Kurawali vide No.267/2019 u/s 307 IPC and 268/2019 u/s 3/25/27 Arms Act were registered regarding police encounter. During investigation of case FIR No.267/2019 since offence u/s 307 IPC was proved, charge sheet No.275 dated 06.09.2019 and in case FIR No.268/2019 u/s 3/25/27 Arms Act vide charge sheet No.267 dated 09.08.2019 were submitted against Lalu @ Satendra. In case FIR No.257/2019 u/s 376D/364/392/411 IPC and u/s 3(2)5 SC/ST Act, charge sheet No.267 dated 29.08.2019 was submitted.

The report further reveals that on the basis of the complaint of complainant Raju S/o Surajpal regarding assault on him another case FIR No.260/2019 dated 07.07.2019 u/s 307/323/504 IPC and Sec.3(2)5 SC/ST Act was registered at PS Kurawali against the then SHO and three unknown constables. During investigation by Circle Officer Kuawali names of the then SHO Bichvon Shri Rajesh Pal Singh and Constables Krishnavir Singh and Chatrapati came to light. Accused suspended SHO Rajesh Pal Singh through Criminal Writ Petition No.19934/2019 obtained stay of his arrest and accused Constables Krishnavir Singh and Chatrapati got stay order from their arrest from High Court of Allahabad in Writ Revision No.20259/19 dated 06.08.2019. During investigation, offences u/s 307 IPC and Sec.3(2)5 SC/ST having found not established were dropped and offence u/s 3(1)da-gha SC/ST Act having found established were added. On investigation since offences u/s 323/504 IPC and Sec.3(1)da-gha were established charge sheet No.332/2019 dated 02.10.2019 was submitted against SHO Shri Rajesh Pal Singh and Constables Krishnavir Singh and Chatrapati. Besides, an amount of Rs.50,000/- as financial assistance has been paid to the complainant Raju S/o Surajpal under SC/ST Act.

The Commission has perused the record and observes that in view of the reports, the charge sheets have been filed in all the three cases before the Court and financial assistance of Rs.50,000/- has been paid to the complainant Raju. But the report is silent about the payment of immediate monetary relief to the complainant's wife Smt. Rooma Devi and whether any departmental action has been taken against the delinquent police officials. The Commission therefore directs the Superintendent of Police, Mainpuri to submit further report about the payment of monetary relief if any to the victim Rooma Devi in PS Kurawali case FIR No.257/2019 u/s 376D/364/392/411 IPC and u/s 3(2)5 SC/ST Act and departmental action, if any, taken against the delinquent police officials namely SHO Shri Rajesh Pal Singh and Constables Krishnavir Singh and Chatrapati, within four weeks.

[Complaint](#)

Diary No	7856/IN/2019	Section	M-4
Language	ENGLISH	Mode	HRCNET/ONLINE
Received	09/07/2019	Complaint Date	08/07/2019

Date			
Gist	The Complainant has alleged that the victim, a dalit man, was tortured by the concerned police officials when he went to file a complaint regarding the kidnapping of his wife at that Police Station. The Complainant has further alleged that the victim suffered injuries on his back and legs because of the police torture.		

Victim

Victim Name	RAJU	Gender	Male
Religion	Unknown	Cast	Unknown
Address	BULANSHAHAR DISTRICT, UTTAR PRADESH		
District	BULANSHAHAR	State	UTTAR PRADESH

Complainant

Name	DHANA KUMAR		
Address	C-3/441, SECOND FLOOR		
District	WEST DELHI	State	DELHI (110058)

Incident

Incident Place	BICHHWAN POLICE STATION	Incident Date	05/07/2019
Incident Category	ATROCITIES ON SC/ST (BY POLICE)		
Incident District	MAINPURI	Incident State	UTTAR PRADESH
Incident Details			

Cause List

List No	Case / File No	Listing Date	Category
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1	19281/24/51/2019	04/12/2019	FOR FINAL DISPOSAL
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