

PUBLIC GRIEVANCES COMMISSION

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 30.7.1998

Date of hearing:16th March, 2018

Complainant : Smt. Meenakshi wife of late Shri Raj Kumar
Respondent : Special Commissioner of Police
Delhi Police (Vigilance),PS
Barakhamba Road, New Delhi
Grievance No. : PGC/2016/DP/320
Grievance filed on : 28/10/2016
First hearing in the PGC : 05/01/2017
Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint alleging that some anti-social type of persons namely Rajiv, Dharmender, Sanjay, Babli and others lured her husband and taken with them. Thereafter, her husband never returned. Only his dead body was recovered by the police on 20.6.2016 as disclosed by the alleged. But SHO/Swaroop Nagar did not take any action against the alleged persons. The complainant contacted the higher officers and apprised them regarding the harassment being faced by her. Only then, an FIR No. 322/16 u/s 302/34 was lodged in the case.

Apart from killing of her husband by the alleged, one of the alleged Rajiv dragged her forcefully from her house to his own house on 5.7.2016 and beaten her, abused and threatened of dire consequences if the complaint against them was not taken back. She has also alleged while she was alone at her home alongwith her old aged mother in law, the alleged came to her house on 28.9.2016 laced with dhandas and threatened and abused as well. She has requested for legal action.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 9th March, 2017, the second hearing held on 8th June, 2017, the third hearing held on 24th August, 2017, the fourth hearing held on 18th January, 2018, the fifth hearing held on 9th March, 2018 and the sixth hearing held on 16th March, 2018, when the following were present:-

Complainant : Present
Respondent : SI Satender Kmar, PS KNK Marg
Inspector Satyawan, SOS-II (Crime Branch)
SI Amit Rana, D-5726, NW District
ASI Ramesh Kumar, PS Swaroop Nagar

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3 Relevant facts emerging during the hearing

An ATR has been filed by ASI Ramesh Kumar, PS Swaroop Nagar, stating the following :-

- i. Enquiry into the matter was conducted, which revealed that on that fateful day, deceased Raj Kumar was seen alongwith Babli, Rajiv , Sanjay and Dharendra and some other boys during the day hours. It was also revealed during further enquiry that deceased Raj Kumar and all above mentioned four persons were native of same village from Bulandshahar, UP and doing manufacturing of bags in Swaroop Nagar area. The alleged Rajiv, Sanjay and Dharmendra were brought at PS for interrogation and during interrogation; they revealed that they used to play cricket match on every Sunday in vacated ground in Swaroop Nagar, Dehi. On 19.6.2016, they have also fixed a match and started playing at about 9.30 a.m. Meanwhile, deceased Raj Kumar arrived in the ground at about 10.30 a.m. About 12.00 noon, the match was finished in which they won the match. To celebrate their victory, Raj Kumar and Babli went to bring wine and bear and they all together alongwith their other friends have a drink in the same ground. It was a very hot day and after drinking they all decided to go for a bath in Hyderpur Canal. One of their friends, namely Harish Sharma @ Twinkle was already brought his innova car and after having joint decision, all of them i.e. Harish Sharma @ Twinkle, Dharmendra ,Rajeev, Babli, Sanjay, Gaurtam, Nause Khan and Mohit alongwith deceased Raj Kumar went for Hyderpur Canal near Sardaar Colony to have a bath in the canal. On the say, Rajeev also called one of his friend namely Gautam, who joined them on t he way in the same car. After sometime they arrived at Sardaar Colony and all of them except Mohit and Nause Khan jumped in the canal for bath, while Mohit remained inside the car as he do not know swimming. Nause Khan was busy in talking with someone on mobile.
- ii. After bath of all of them came out from canal and started wearing their clothes meanwhile deceased Raj Kumar told that he want to take some more bath and once again jumped in the canal, at the same time some more boys who are resident of the Sardaar Colony also standing at the bank of canal. When, after a few minutes, deceased Raj Kumar did not come out, his other friends started looking him. Some of them jumped in the canal to search him while the other started looking for him by going side by side bank of the canal upto the

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- bridge on canal. When despite of their search, deceased Raj Kumar was not traced, then they all got frightened and decided to leave the place without calling Police or saying the incident with anybody and also decided to not to disclose this with anybody, otherwise they will be harassed by police.
- iii. After recording the statement of alleged Rajiv s/o Ravi Karan, Babli s/o Manveer and Sanjay s/o Leeladhar were called to Police Station on the identification of Smt. Meenakshi and her brother-in-law Satveer. All above three persons were examined/interrogated. After that undersigned alongwith other police station staff and Rajeev and Babli reached at Hyderpur Canal near Sardaar Colony and made a local enquiry in which three boys namely (1) Golu, s/o Monu, r/o J-43, Gali NO. 3, Sardaar Colony, Sector-16, Rohini, age 16 years (2) Ajit Kumar s/o Kali Charan r/o J-31, Gali No. 2, Sardaar Colony, Sector-16, Rohini, age 16 years and (3) Sagar s/o Badlesh, r/o J-640, Gali No. 9, Sardaar Colony, Sector-16, Rohini, age 16 years , who were present at the time of incident were examined and their statements were got recorded.
- iv. Meanwhile , ASI Ramesh called on Flood Control Helpline number i.e. 1077 to enquire about the dead body of deceased Raj Kumar. After 10 Minutes, a call was received from Flood Control employee and IO/SI Satender of PS K.N. Katju Marg informing therein that a dead body is found in the Net fixed in the Canal. After that I alongwith staff arrived at the net where the body was identified as Raj Kumar. Thereafter, SI Satender took the body of the deceased Raj Kumar for the autopsy vides DD No. 20-A dated 20.6.2016 of P.S.K.N. Katju Marg, Delhi. I alongwith staff returned to Police Station area for further enquiry. In the meanwhile , Smt. Meenakshi and her relatives gathered at PS Swaroop Nagar, Dehi and started making allegations against Rajiv, Sanjay, Dharmendra and Babli tht they have murdered her husband Raj Kumar.
- v. Keeping the gravity of the matter, a detailed enquiry into the matter was conducted and during the course of enquiry, statements of following persons were recorded.

S.No.	Name	Parentage	Address	Remarks	Working as
1.	Harish Sharma@Tw	Suresh	H.No.43/18, Gali No. 42, C-Block,	Known to deceased,	Driver HR-55- W0964

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	inkle		IP colony, Delhi	played cricket, have liquor and take the bath	Innova Car
2.	Dharmendra	Veer Singh	VPO Jaalkhera, District, District, Bulandshahar, UP	Known to deceased, played cricket, have liquor and take the bath	Manufacturin g of bags.
3.	Rajeev	Ravi Karan	H.No. 361, Gali No. 4, A-Block, Nathupura, Delhi	Known to deceased, was there for watching the match, have liquor, & take the bath	Manufacturin g of bags
4.	Babli	Manveer	VPO-Jaalkhera, District Bulandshahar, UP	Known to deceased, was there for watching and match, have liquor and take the bath	Clothes cutting helper
5.	Sanjay	Leeladhar	VPO-Jaalkhera, Distt. Bulandshahar, UP	Known to deceased, was there for watching the match, have liquor, and	Manufacturin g of bags.

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				take the bath.	
6.	Nause Khan	Md. Umar	B-298, Village Nathupura, Delhi	Known to deceased, played cricket, took bear and did not take bath	Tour & Travels
7.	Gautam	Shashi Bhushan	D-96, Shyam Park Extn., Sahidabad, Gzb, UP	Unknown to deceased, picked up by his friend Harish @ Twinkle on way, took bath	Tour & Travels
8.	Mohit	Sudhir Raghav	H.No. 225, Gali No. 5, A-Block, Kadi Vihar, Delhi	Known to deceased played match, nor drink neither took bath	Studying in II-years student.

Main witnesses who were present with deceased at the time of cricket match.

9	Sunny	Rajendra Kr.	H.NO.223, Gali No. 13, DCM Colony, Swaroop Nagar,	Unknown to deceased, played match, left the ground	
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			Dehi	after match	
10.	Chander Shekhar	Sher Singh	H.NO. 42, Gali No. 3, Nathupura, Delhi	Unknown to deceased, played match, left the ground after match	
11.	Ashish	Vivo Narayan	H.No.76, Gali No. 15, Swarop Nagar, Delhi	Unknown to deceased, played match, left the ground after match	
12.	Sancheet	Babu Lal	H.NO. D-108, DCM Colony, Ibrahimpur, Delhi	Unknown to deceased, played match, left the ground after match	
13.	Maluva	Chaukhe Lal	Village- Chhaleshwar, Thana-Goda, Jila-Aligarh, UP	Known to deceased, was there for watching the match, have liquor and left from the ground.	

INDEPENT WITNESSES WHO WERE PRESENT AT THE SPOT I.E. HYDERPUR CANAL NEAR SECTOR-16

14.	Golu	Monu	J-43, Gali NO. 3, Sardaar Colony,	Independent Witness present at the spot during incident,
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			Sector-16, Rohini, Delhi	unknown to deceased.
15.	Ajeet Kumar	Kali Charan	J-31, Gali NO. 2, Sardar Colony, Sector-16, Rohini, Delhi	Independent witness present at the spot during incident, unknown to deceased.
16.	Sagar	Badlesh	J-640, Gali No. 9, Sardar Colony, Sector- 16, Rohini, Delhi	Independent witness present at the spot during incident, unknown to deceased.
17.	Avtar	Darshan Singh	J-86, Gali No.3, Sardar Colony, Sector-16, Rohini, Delhi	Independent witness who seen the deceased to take bath and throwing sand on each other at the time of incident
18.	Pinky Khanna	Harvansh Lal	J-43, Gali No. 3, Sardar Colony, Sector-16, Rohini, Delhi	The family member of deceased had approached to Pinky Khanna the grandfather of Sahil @ Golu that Golu would give statement that friends of deceased had murdered him in place of drowning.
19.	Kamla Khanna	Monu Khanna	J-43, Gali No. 3, Sardar Colony, Sector-16, Rohini, Delhi	The family members of deceased had approached to Kamla Khanna the mother of Sahil @ Golu that Golu would

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				give statement that friends of deceased had murdered him in place of drowning.
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Further the inquest proceeding u/s 174 Cr.P.C. of deceased Raj Kumar was conducted by SI Satender of P.S. K.N. Katju Marg, Delhi and the Post Mortem Report of the deceased Raj Kumar has been received , in which the Doctor given the remarks that “cause of death will be given after the chemical analysis report of viscera.” The viscera of the deceased has been deposited in FSL, Rohini, Delhi by the IO of P.S. K.N. Katju Marg, Delhi and the result of the same is still awaited. However, the Autopsy Surgeon have also opined in the PM report, that there are not any kind of injuries to the deceased Raj Kumar is found.

Further, a case vide FIR No. 322/2016 dated 29.7.2016 u/s 302/34 IPC was registered on the statement of complainant Smt. Minakshi wife of late Shri Raj Kumar r/o A-222, Nathu Colony, Nathupura, Delhi-84. The investigation of this case was handed over to Inspr. Bharat Ram Meena the then SHO/PS Swaroop Nagr. Later on the investigation was transferred to DIU/NWD and later on transfer to Crime Branch, Dehi. The case is still pending investigation there.

Further, a case was also registered on the statement of complainant Smt. Minakshi wife of late Shri Raj Kumar, r/o A-222 Nathu Colony, Nathupura, Delhi-84 vide case FIR No. 324/16 u/s 354/342 IPC at PS Swaroop Nagr against the alleged person Ravi Karan. After completion fothe investigation, chargesheet has alre dy been filed in the court for trial. However, further any direction of the Hon’ble Commission will be complied with meticulously please.”

4. Directions of PGC

During the last date of hearing, the complainant claimed that there was a witness of the incident. She was asked by the Commission to produce the said witness (Ankush) before the Commission in today’s hearing. The said witness is not present today, the complainant stated that he would depose before the court only as he has threat to his life.

In view of the ATR filed by Inspector Satyawan, SOS-II/Crime Branch dated 8.3.2018 and

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complainant's above statement, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:

1. The Commissioner of Police, Delhi Police Headquarters, I.P. Estate, New Delhi
2. The Special Commissioner of Police (Vigilance), Delhi Police, Delhi Police Hqrs, I.P. Estate, New Delhi
3. The Special Commissioner of Police (Crime), Delhi Police , Delhi Police Headquarters, I.P. Estate, New Delhi.
4. The Addl. Commissioner of Police (Vigilance), Delhi Police, Police Station Barakhamba Road, New Delhi-110001.
5. The DCP/North West District, Police Station Ashok Vihar, New Delhi-110052
6. SHO/PS Saroop Nagar, Police Station Swaroop Nagar, Delhi
7. Smt. Meenakshi wife of late Shri Raj Kumar