

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: 8th May, 2018

Complainant : Shri Abdul Raziq,
s/o Shri Abdul Khalid

Respondent : Special Commissioner of Police
Delhi Police (Vigilance),PS
Barakhamba Road, New Delhi

Grievance No. : PGC/2017/DP/249
Grievance filed on : 25/8/2017
First hearing in the PGC : 06/11/2017
Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint of misconduct against police officials of PS Mayur Vihar . He has alleged that he was admitted in Lal Bahadur Hospital on 7.8.2017 by the public in injured condition. The police took him to the police station after getting his discharge from the hospital on 8.8.2017 and got his signatures on 3-4 blank papers and physically thrashed him. He has further alleged that the police had implicated his friends, who had gone to the police station to help /assist him, for assaulting him leaving free the real culprits namely Haarish and Faizan who had committed the offence. He has also alleged that the police personnel forcefully cut his stitches and pressurized him to implicate Aamil, Imran, Shoab and Asif for the assault case. He has requested for legal action in the matter.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 6th November, 2017, the second hearing held on 15th January, 2018, the third hearing held on 5th March, 2018, the fourth hearing held on 9th April, 2018 and the fifth hearing held on 8th May, 2018, when the following were present:-

Complainant : Not Present
Respondent : ASI Dinesh Tyagi, PS Mayur Vihar

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3 Relevant facts emerging during the hearing

An ATR has been filed by ASI Dinesh Tyagi, P.S. Mayur Vihar, stating that “ in continuation to the previous report filed into the matter on 5.3.2018, it is further submitted that the enquiry into the matter has been conducted in view of the allegations leveled by the complainant in the complaint under reference. Point wise investigation remaining in the case is as per follows :-

Due to unavailability of the control of sample of Left and Right hand wash, result of FSL regarding gunshot injury whether self inflicting or not, is to be awaited. Efforts have been made to contact the complainant to obtain the control from his body but he could not be traced and he is absconding from his rented house i.e. 1884, Gali Behrampur, Lal Kuan, Delhi and he has no permanent address in Delhi

As the complainant of present complaint could not be traced and he is absent from his address he could not be produced before court to initiate proceedings to conduct his polygraph test.

As per the first statements of the complainant, alleged persons, Haris and Faizaan has been re-interrogated but no evidence against these persons is on record till now CDR of both of them has been received and analysed but location of both persons as per CDR is at Old Delhi at the time of Commission of offence.

Co-accused Md. Amil, Md. Soaib, Md. Imran and Asif Khan has already been granted anticipatory bail from Hon'ble Sessions Court, Karkardooma, East District, Delhi but certified copy of CDR of all of them is awaited. Notice u/s 160 Cr.P.C. has been given to all of the accused persons but they are not joining the investigation of the case.

Polygraph test of all the accused persons is to be conducted in due course. Investigation of the case is still in progress.”

4. Directions of PGC

The complainant has not been attending the hearing in the Commission. There is dispute over the property and possibility of nexus of builder cannot be ruled out. Police is directed to investigate the case properly and conclude the investigation expeditiously. The possibility of complainant being in the custody of the alleged persons as reported by the IO should be thoroughly probed. It is also directed that the information be shared with Operation Cell of the District for making surveillance

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over the activities of the alleged persons.

With the above advice, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER (PGC)

Copy to:

1. The Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi.
2. The Addl. Commissioner of Police (Vigilance), Delhi Police, Police Station Barakhamba Road, New Delhi-110001.
3. The Deputy Commissioner of Police (District East), Headquarter District East, Mandawali Fazalpur, Patparganj, I.P. Extn., New Delhi-110092
4. Shri Abdul Raziq s/o Shri Abdul Khalid