

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: 31st January, 2018

Complainant : Shri Devender Swami s/o Lt.Daulat Ram,
r/o WZ-357, Village Shakurpur, Delhi-34

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

Grievance No. : PGC/2017/Annex-II/37
Grievance filed on : 30/01/2017
First hearing in the PGC : 29/3/2017
Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint stating that his younger brother while taking exit from petrol pump after re-filling his Tata -407, his vehicle was hit by a car being driven by the son of the owner of the said petrol pump. His brother made called at No. 100 and complained about the accident/incident. Then, PCR came on the spot and advised "agar settle karna hai to apas main baat kar lo". The father of the driver of the car was also interested for settlement. He has further alleged that SI Tinkoo Shaukeen, IO of the case had taken Rs. 5,000/- from him on the pretext for paying to the other party for settlement and had also asked something for himself also saying "ye to party ka hai, mera kha hai". He has also stated that he paid the said amount under compelling circumstances as he had no other option. Then he complained to an Inspector of the Police Station (Acting Incharge), who rebuked him for his conduct and asked him to return back complainant's money. But till date neither the money has been returned nor has been paid to the other party. 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 29th March, 2017, the second hearing held on 7th June, 2017, the third hearing held on 9th August, 2017, the fourth hearing held on 18th October, 2017 and the fifth hearing held on 3rd January, 2018 and the sixth hearing held on 31st January, 2018, when the following were present:-

Complainant : Present
Respondent : ACP Ram Avtar Yadav, ACP/PG Cell/West
ASI Ashok Kumar, Vigilance/West

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3.. Relevant facts emerging during the hearing

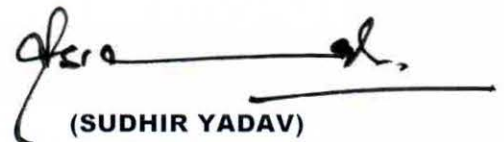
SHO/Punjabi Bagh and Inspector Shiv Ram Yadav were called in the PGC on 9th February, 2018. As per Inspector Shiv Ram Yadav, he was looking after the work of SHO (Punjabi Bagh) during the period of absence of regular SHO (Punjabi Bagh). He informed that the complainant Davinder Kumar and his nephew ("Bhanja") , Advocate had come to the police station and alleged improper action ~~and~~ demand/receipt of bribe. When enquired from concerned the matter was clarified and both parties have reportedly settled the matter amicably by paying agreed amount in lieu of damage to the car.

The allegations level ed by the complainant and his nephew to pay Rs. 5000/- to SI could not be substantiated as the car owner confirmed the receipt of Rs. 5,000/- in lieu of damages. Moreover, the complainant and his nephew have also given in their own handwriting, on the same day, that they have settled the matter and do not want any legal action. Further more, the enquiries by the police also confirmed the settlement between the parties including payment for damages to car owners. Thus no legal action is attracted in the matter by police/against police.

In view of the settlement between the parties, on their own accord, and the receipt of payment to the car owner, no further action is warranted. However, the Commission feels that the instant matter has been handled in a very casual manner and lack professional standards in dealing with public. Whereas police handling of such matters including enquiry/investigation should be such that it does not lead to any suspicion or biased attitude of police personnel.

4.. Directions of PGC

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


(SUDHIR YADAV)
MEMBER (PGC)

Copy to: 34275/83

08-3-18

1. The Commissioner of Police, Delhi Police, Police Headquarter, ITO, Delhi
2. Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi

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- 3. Additional Commissioner (Vigilance), Delhi Police, PS Barakhambha Road, Connaught Place, New Delhi**
- 4. The DCP (West), Police Station, Rajouri Garden, New Delhi-110027**
- 5. The Addl. DCP (West), Police Station Rajouri Garden, New Delhi-110027**
- 6. ACP/PG Cell/District West, Police Station Rajouri Garden, New Delhi-110027**
- 7. SHO/PS Punjabi Bagh, Police Station Punjabi Bagh, Delhi**
- 8. Shri Devender Swami s/o Lt. Daulat Ram, r/o WZ-357, Village Shakurpur, Delhi-110034. Email gaur.ashwani143@gmail.com**
- 9. Shri Vaibhav Mittal r/o A-2/186, Janakpuri, New Delhi -110085**