

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: 18th April, 2018

Complainant : Shri Naresh s/o Shri Ballu

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

Grievance No. : PGC/2018/DP/05

Grievance filed on : 3/1/2018

First hearing in the PGC : 15/3/2018

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint against police personnel ASI Samunder Prakash, SI Sunil Kumar and six other police officials for beating him and demanding bribe. He has stated that on 8.2.2017 he had some altercation with some tempowala, the matter was resolved after intervention of the general public and he left for his home. He was intercepted by the said police officials who were in inebriated state and demanded Rs. 15,000/- from him threatening to put him behind the bars. In the meanwhile, ASI Samunder Prakash went for urinating during which he was beaten by stray dog. Thereafter, the demanded was raised to Rs. 30,000/- and was also threatened of implicating him in a case of tearing the uniform of a police officials. He has also alleged that his mobile was also snatched and he was beaten in the bathroom of the police station. Thereafter, he was thrown on a street near his house. 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 15th March, 2018 and the second hearing held on 18th April, 2018, when the following were present:-

Complainant : Not Present

Respondent : Inspector Subhash, PS Bawana
ACP D.K. Sharma, PG/RD

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3 Relevant facts emerging during the hearing

An ATR has been sent to be filed by Inspector Subhash Chander, Inspector/Inv./PS Bawana, stating the following :-

- i. During the course of enquiry, complainant was requested to join the enquiry on 15.4.2018 with the witnesses but complainant alone came to join the enquiry and asked to visit the spot for enquiring the witnesses. Hence, I visited the spot i.e. Vijay Nagar Colony, Bawana, where complainant produced two persons namely Smt. Jagwanti wife of Pratap Singh, r/o 194, Vijay Nagar Colony, Bawana, Delhi and Shri Ajeet s/o Dharam Singh, r/o A-194, Vijay Nagar Colony, Bawana, Delhi as witnesses of the incident. Both the witnesses were interrogated about the incident and their statements were recorded. Smt. Jagwanti, who is cousin sister of Naresh (complainant), stated that she is permanent denizen of above address. On that day i.e. day of Darwa Choth, a spat was happened amid Baniya and Naresh the complainant. The quarrel was occurred in the evening. In the squabble, nobody got injured. Baniya called the police. Two policemen arrived at the spot and took both of them to PS at about 6.30 p.m. She further told that she does not have knowledge about vehicle make and its number. The other witness, Shri Ajeet stated that he is permanent denizen of given address and repairs A/C & refrigerator. He further added that on that day i.e. day of Karwa Choth, a spat was happened amid Baniya (real name not known) and Naresh the complainant. The quarrel was occurred at about 8.30 p.m. In the squabble, nobody got injured. Baniya called the police. Two policemen arrived at the spot in PCR van and took both of them to Police Station. Copies of statements are enclosed for perusal.
- ii. The witnesses seem to be planted witnesses as Smt. Jagwanti is cousin sister of the complainant. The version of both witnesses is not trustworthy as they could not explain what they were doing at odd hours i.e. 5.00 A.M. on next day of spat. Moreover, both the witnesses did not allege about beating as well as threatening of complainant by the policemen at the spot. If, there was any police atrocity, the complainant party might have made a PCR call on 100 number but call was made in night after elapsing 17-18 hours of incident and same was made by the both of the complainant. There is contradiction in the statement of both the witnesses about the time of spat.

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iii. The allegations leveled by the complainant are not substantiated after making local enquiry with the eye-witnesses. The eye-witnesses seem to be motivated and biased. Their versions need to be verified from other independent witness/witnesses. Noteworthy, complainant has already filed a complaint u/s 156.3 Cr.P.C. before the Hon'ble Court of Shri Jitendra Pratap Singh, MM, Rohini, Delhi into the matter, which is sub-judice in the Hon'ble Court and fixed for 21.5.2018."

4. Directions of PGC

The complainant has reportedly filed a petition in the Court for registration of a case against the police personnel. Since, the Court of MM, Rohini has taken the cognizance of the matter and the matter has been listed for 21.5.2018, the proceedings is kept in abeyance till orders of the Court.

EO is directed to inform the Commission about the outcomes of the orders of the Court.

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 Outer), Old Police Post Dost Pushpanjali Enclave, Road No. 43, Pitampura, Delhi-110034
4. Shri Naresh s/o Shri Ballu