

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: 23rd April, 2018

Complainant : Shri Rahul @ Anil s/o Shri Surender

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

Grievance No. : PGC/2018/DP/12

Grievance filed on : 5/2/2018

First hearing in the PGC : 19/3/2018

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint of inaction against police inspite of his complaints made to SHO/Krishna Nagar, ACP/Gandhi Nagar and DCP/Shahdara. He has stated that his sister Monika , aged 32 years was hanged with the ceiling fan after killing her on 2-3/01/2018 by her in-laws namely husband Deepak Tomar, brother in law Sunil Tomar, sister in law Seema Tomar , mother in law Rajeshwari, father in law Om Prakash Tomar and sister in law Manju and Anita. He has alleged that the crime of killing his sister was committed with the assistance and connivance of police officials of PS Krishna Nagar and the case of his sisters killing/murder was converted to case of suicide. 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 19th March, 2018 and the second hearing held on 23rd April, 2018, when the following were present:-

Complainant : Present
Respondent : Inspector Girish Jain, PS Krishna Nagar
Inspector J.S. Mishra, PG Cell

3. Relevant facts emerging during the hearing

An ATR has been filed by Inspector Girish Jain, PS Krishna Nagar, stating the following:-

- i. It is submitted that the undersigned conducted a discrete enquiry into the allegations leveled by the complainant. During the course of enquiry, it was revealed that on 3.1.2018 an information was received in PS Krishna Nagar vide DD No. 9A from PCR that caller's wife has committed suicide at H.No. 5036 Gali No. 17 Shanti Mohalla. The same was marked to ASI

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

Rajinder PS Krishna Nagar for necessary action. He reached at the spot and found that Smt. Monika Tomar wife of Deepak r/o H.NO. 5036 Gali NO. 17, Shanti Mohalla, age 32 years has committed suicide at above mentioned address by hanging herself with the ceiling fan. The scene of hanging was got inspected and photographed by the crime team of the district. He conducted enquiry into this death. He recorded the statements of husband, Shri Deepak Tomar (Husband), Shri Om Prakash Tomar (Father-in-Law) and Sunil Tomer (brother-in-law). They all stated that Smt. Monika was suffering from mind disease. Due to her illness she has committed suicide.

- ii. During further enquiry it was also revealed that Smt. Monika Tomar w/o Deepak r/o H.NO. 5036, Gali No. 17, Shanti Mohalla, age 32 years was suffering from acute depression/mind disease since long. It is pertinent to mention here that she was under treatment from IHBAS vide her file No. 2013-1-127. The papers of treatment and the medicines were seized.
- iii. EO also recorded the statements of relatives of the deceased including the son age about 10 years of deceased. He stated that he is studying in 4th standard in Geeta Bal Bharti School. He also told that his mother was suffering from disease and his father is taking care of her. Due to her illness his mother used to leave the house. He told that his father, grandfather and other family members were very caring towards his mother.
- iv. On 3.1.2018 the post mortem of deceased, Smt. Monika was got conducted in AAAGH Subzi Mandi. The doctor preserved the viscera of deceased to find out the cause of death. The viscera were deposited in FSL Rohini for chemical analysis. The post mortem papers were collected. On P.M. number 16/18 dated 3.1.2018 doctor has given that "NO ANY SIGNIFICANT BRUISING OR EXTRAVASATION OF BLOOD OBSERVED WITHIN SOFT TISSUE OF NECK."
- v. During the course of enquiry, the independent persons were also examined. They all stated that Smt. Monika Tomer was suffering from depression and her husband and in laws were having caring attitude /behavior towards her.
- vi. During the course of enquiry the medical papers were discussed with IHBAS Centre to get the opinion from the doctors whether the patient suffering from disease carries the tendency to commit the suicide. On which doctors have opined that every patient who suffers from

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

- depression used to commit wrong with him/her. The treatment papers were certified by the IHBAS. Moreover, Dr. Amit Khanna has given in writing that Smt. Monika Tomer was suffering from "BIPOLAR DISORDER". I enquired from the senior doctors of IHBAS and clarified they told that once a person suffers from such kind mind disease usually having suicide tendency. But they did not give this in writing.
- vii. The present complainant Shri Rahul has also leveled allegations through his complaint that his sister, Monika used to be tortured by her husband and by her-in-laws on the pretext of dowry. It is pertinent to mention here that this allegation was also looked into and found that in PS Krishna Nagar no such complaint was ever found to be filed by the parents of Smt. Monika Tomar. It is pertinent to mention here that Smt. Monika Tomer was married to Shri Deepak Tomer in 2001 and in the span of eleven years not a single complaint was filed in this regard in the police station or any authority.
- viii. He has also alleged in his complaint that no one from the family of Deepak Tomar had informed him regarding this incident. But Deepak Tomer stated in his statement that after calling 100 No. he informed Mr. Rahul and requested him to come.
- ix. It is further submitted that the complainant Rahul did not provide any documentary proof or any other evidences to corroborate his allegations. Though he was requested telephonically and through notice but failed to provide as such.
- x. During the course of enquiry, the result of viscera analysis from FSL Rohini was collected. Nothing suspicious thing found in analysis. The FSL report and other papers were sent and discussed to get final opinion on the death. The Doctor opined that the cause of death in this case is "APHYXIA DUE TO ANTEMORTEM HANGING".
- xi. In view of the above said facts, the allegations leveled by the present complainant Mr. Rahul @ Anil could not be substantiated. Moreover, no cognizable offence is found to be made out. Hence, no action is warranted from the local police. The matter is still pending in the court of Ms. Mahima Rai, MM, KKD Courts."

4. Directions of PGC

As per the ATR, the allegations leveled by the complainant could not be substantiated and no cognizable offence is found to be made out. The matter is pending in the court of MM, KKD Courts.

As per mandate of the Commission, any matter which is sub judice in nature cannot be

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

taken up by the Commission for hearing. The Commission has, therefore, decided to close the case due to its sub judice nature, with the advice to the complainant to pursue the case in the Court of law.

(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 Barakhambha Road, New Delhi-110001
3. The Deputy Commissioner of Police (District East), Headquarter District East, Mandawali Fazalpur, Patparganj, IP Extension, New Delhi-110092.
4. Shri Rahul @ Anil s/o Shri Surender