

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: 15th May, 2018

Complainant : Shri Nisar Ali s/o Shri Sakruddin

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

Grievance No. : PGC/2017/DP/334

Grievance filed on : 4/12/2017

First hearing in the PGC : 27/2/2018

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint in PGC against police officials of threat to implicate him in a false case , demand of bribe of Rs. 25,000/- and pressurized to withdraw complaint. He has stated that on 14.11.2017, while his pregnant daughter went on the terrace to put the clothes to dry, she was caught by neighbouring tenant Nikhil and tried to molest her and made her fall on the floor with wrong intention. On protest by his daughter the said alleged person threatened her of dire consequences if she did not allow him to establish physical relations with her and soon returned with a knife and inflicted several wound on her various parts of her body. On making complaint at No. 100, no police turned up even after waiting for 15 minutes. He has further stated that the IO demanded Rs. 25,000/- for making a strong case else threatened to implicate him in a false case. He has also alleged that despite his best efforts he could not meet DCP/Sarita Vihar. 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 27th February, 2018, the second hearing held on 10th April, 2018, the third hearing held on 8th May, 2018 and the fourth hearing held on 15th May, 2018, when the following were present:-

Complainant : Present

Respondent : SI Shah Faisal, Security Main Line
ASI Laxmi Narain, PS Sunlight Colony
ACP Pancham Chand, HQ/South District
Inspector KUsam Dangi, ATI/SLC

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3 Relevant facts emerging during the hearing

An ATR has been filed by ASI Laxminarayan, PS Sunlight Colony, stating that “ on 14.11.2017, a PCR Call vide DD NO. 22PP, Police Post Sarai Kale Khan, PS Sunlight Colony was received and the same marked to SI Shah Faizal for necessary action. During the inquiry of the matter, IO/SI Shah Fazal reached to the given address that is A-11, Nangli Rajapur where he came to know that the victim Rani was taken to the Hospital by her father. During the enquiry on the spot SI Shah Fazal received an MLC vide DD NO. 24 PP. SI Shah Fazal reached to AIIMS Trauma Centre and received MLC NO. 5000615555/17 but the victim had left the hospital. SI Shah Fazal, again reached at the residence of the victim. He met the victim namely, Rani who was being with her mother Madina. SI Shah Fazal recorded the statement of Rani in presence of her mother and above said case FIR No. 432/17 was registered and investigation was taken up by SI Shah Fazal. On 14.11.2017, accused was arrested in present case. During the course of investigation, SI Shah Faizal obtained opinion about nature of injury on MLC which is given as sharp by doctor. After that section 324 IPC was added in the present case. On 20.11.2017, accused was released on regular bail. The statement was recorded u/s 164 Cr.P.C. the Ld. MM, Ms. Samiksha Gupta on dated 21.11.2017.

During the investigation, the following evidences were collected i.e.

- i. Site Plan was prepared , the statement of witnesses were recorded.
- ii.the weapon i.e. Chhura was recovered at the instance of accused from the I.P. Park.
- iii.The subsequent opinion was obtained.
- iv.The father of the victim was informed about the case on regular basis about the progress of the investigation.”

4. Directions of PGC

An ATR filed by ASI Laxmi Narain, PS Sunlight Colony is placed on file.

On perusal of the available record, it is very much evident that this was a case of molestation of woman and when she objected/resisted attempts she was attacked with a sharp edged knife/weapon. Disregarding the facts, the police/IO registered the case under section 323 IPC instead

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of 324 IPC. Additionally, the incident occurred at 11.00 a.m. but the victim was taken to Trauma Centre around 12.30 p.m. after a delay of 1 ½ hour of the incident on 14.11.2017 and FIR was registered at 20.00 hours after delay of 9 hours without explaining the reasons for delay. And, all through this period the complainant and her family has to stay/wait at police station.

Incidentally the victim of the crime was a pregnant lady and it was imperative on the part of police to attach due sensitivity, but SHO and IO of PS SL Colony failed in their duty. Further, inspite of directions, police did not inform and update the complainant about the progress of investigation in the matter all through this period. As a result, the complainant has to approach this Commission for needful directions and fair investigation. The dereliction in duties and insensitivity on the part of SHO and IO in handling the case of victim woman led to the intervention of this Commission.

Needless to point out that thorough/professional investigation has not been done considering the sensitivity of the case. No sincere efforts were made to get the opinion from the doctor about the injury on her neck by the knife whether the same could have been fatal had it been slightly deep.

Without stretching the matter further, the Commission decides to close the case with the direction to Shri Chinmoy Biswal DCP (South East) to personally review the case investigation and take appropriate action against the errant/negligent officials as deem fit.

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:

1. The Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi.
1. Joint CP (Southern Range), Police Headquarter, ITO, Delhi
3. The Addl. Commissioner of Police (District south-East), Police Station Sarita Vihar, New Delhi
4. SHO/PS Sunlight Colony, Police Station Sunlight Colony, South East District, Delhi
5. Shri Nisar Ali s/o Shri Sakruddin