

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: 16th May, 2018

Complainant : Shri Dheeraj Dubey

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

Grievance No. : PGC/2017/DP/63 & PGC/2017/DP/114
Clubbed with complaint of Dheeraj Dubey

Grievance filed on : 14/3/2017

First hearing in the PGC : 27/4/2017

Scheduled on

1. Brief facts of the complaint

The complainant has stated that he alongwith other volunteers of Walled City Welfare Residential Federation on 23.2.2017 at 8.00 p.m. were managing the serious traffic jam problems at Novelty Cinema i.e. at the road going from PUI Duffrin towards Fire Station-S.P. Mukherjee Marg. After sometime at around 8.40 p.m., one Innova Car numbered DL-8CAF-0939, was seen coming from wrong side i.e. from Fire Station S.P. Mukherjee Marg towards Pul Duffrin (being one-way road) which was being driven by Aman. One of the volunteer Shri Vipin Mehra stopped the said car and requested Aman not to drive on wrong side as the road was already jammed, but Aman was not ready to listen anyone. He started to misbehave and abuse Vipin Mehra and started mishandling with him. He and some people from the general public tried to calm down the situation. On this Aman became very aggressive and called his associates. Within few minutes Shri Bunty alongwith 4-5 persons came there. When his above said associates arrived, then Aman and Bunty started hurling life threats to the complainant and Vipin Mehra and they threatened the complainant "AAJ TERI SARRI PARDHANGIRI YAH! KHATAM KAR DENGE, AAJ KEY BAAD TU SUNEGA AUR DEKHEGA NAHIN, TU TO JAAN SEY GAYA" and by saying this, Aman caught hold his neck and started choking the same and attempted to murder him. The complainant also alleged that Aman, Bunty and his associates also gave fist blows on his face including eyes, ears and nose and further kicked him, because of which he suffered severe eyes and ears injuries alongwith other bodily injuries. Seeing all these, the people gathered there and saved him and on seeing the people supporting him, the alleged Aman and his associates while leaving the place, Aman slipped on the road and on tumbling he and his associates extended a threat "Agar meri car ko kisi ne haath bhi lagaya, to usko jaan sey maar dengey, aur uska pata bhi nahin chalega." He also stated that some one

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from the public called the police and instead of taking him to the hospital, the police took him in PS Lahori Gate. He requested police officials to take him to hospital as he was serious injured, but no body was ready to hear his problems and he was asked to sit in the PS till 5.00 a.m. next day i.e. 24.2.2017, purposely. He alongwith his employee went to LN Hospital for treatment on the same day where I was treated vide MLC No. EEB019333 and various tests/x-rays were done. He was referred to emergency ward of G.N.Eye Centre by the doctors. He alongwith his employee went to GN Eye Centre where also various tests were conducted on his eyes. He was even referred to LN Hospital for emergency eyes x-ray. After check-ups /tests they diagnosed the multiple injuries in eyes such as "multiple-sphincter tears and multiple radial Iris stromal partial thickness tears, Lid abrasions, swelling etc. and further advised for various tests which were conducted on different dates. Due to the said injuries the concerned doctors advised him for operation but as he is a patient of "high sugar" it is postponed till its management. Further, during the treatment on 2.3.2017 in ENT department of LN Hospital where the complainant was further diagnosed with hearing impairment. He further alleged that he brought the above said facts to the knowledge of the concerned police officials and requested them to register a case against the culprits, but no action was taken by the police. The complainant has requested to book the culprits and initiate stern legal proceedings against them as per law.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 27th April, 2017, the second hearing held on 29th June, 2017, the third hearing held on 31st August, 2017, the fourth hearing held on 9th November, 2017, the fifth hearing held on 11th January, 2018, the sixth hearing held on 22nd February, 2018, the seventh hearing held on 11th April, 2018 and the eighth hearing held on 16th May, 2018, when the following were present:-

Complainant : Present- Shri Vishal Pandey and Shri Dheraj Dubey
Respondent : SI Pradeep Kumar, PS Lahori Gate
Shri R.S. Saini, ACP/PG/North

3 Relevant facts emerging during the hearing

An ATR has been filed by Inspector Amti Issar, SHO/Lahori Gate, stating the following :-

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In continuation to the earlier ATR in the matter, it is submitted that as per the directions of Hon'ble PGC, the DVR recordings produced by Shri Vishal Pandey were again seen by the I.O. SI Pradeep Rai to verify the claim of Shri Vishal Pandey tht at the time of incident he was not present at the place of occurrence. However, it can not be ascertained that the person in the CCTV footage at relevant time is Shri Vishal Pandey because only back profile of the person can be seen in the CCTV footage. Whereas in his statement, the complainant of the above case i.e. Shri Aman Gupta has categorically mentioned that Shri Dheeraj Dubey, Shri Vishal Pandey and Shri Vipin Mehra were all present at the time of assault.

Further, a reminder was sent to Medical Supdt., Guru Nanak Eye Centre, Delhi to give opinion about nature of injury in r/o eyes of complainant Shri Dheeraj Dubey. However, no opinion has been received from Guru Nanak Eye Centre, Delhi."

4. Directions of PGC

IO is directed to conclude the investigation at the ealiest incorporating the available medical opinion etc.

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 Deputy Commissioner of Police (District North), Behind Police Station Civil Lines, New Delhi-110054
3. The Medical Superintendent, LNJP Hospital, Govt. of NCT of Delhi, Delhi Gate,
4. The Medical Superintednent, Guru Nanak Eye Centre, Maharaj Ranjit Singh Marg, New Delhi
5. SHO/PS Lahori Gate, Delhi
6. Shri Dheeraj Dubey