



Karnataka State Human Rights Commission

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HRC No. 4204/10/31/2019 (SB-I)

Date: 11-02-2021

To,

1. Shri K.E.Keshav
Dy.S.P
K.S.H.R.C.,
Bengaluru-01

2. Sri. Shivaprasad
Police Inspector
K.P Agrahara Police Station
Magadi Main Road
Bengaluru – 560023

Sub: HRC No. 4204/10/31/2019 (SB-I)

The above case came up for hearing on 08.02.2021 before Bench-I of the Commission and on consideration the Commission passed the following:

ORDER

In this case, the complaint dated 5.11.2019 was made by one Smt. Jabeen Taj with the allegations of illegal detention and beating by police officers between 24.10.2019 to 04.11.2019 at K.P.Agrahara Police Station. The complaint was supported by photographs of injuries and medical certificates. Therefore, a preliminary enquiry was ordered and a report dated 9.11.2019 was submitted by Dy.S.P., requiring further enquiry.

2. Accordingly, the police officers concerned and the complainant were called upon to remain personally present on 26.12.2019. After perusal of the material placed on record, the police officers concerned proposed to submit the statements on oath in response to the complaint, photographs and medical evidence. Then, the police officers submitted their statements on non-judicial stamp paper without any indication of their being made on oath. That being clarified, they chose to make their statements on oath, after the evidence was closed. Therefore, their statements were recorded on 22.1.2021 and 5.2.2021.

3. The statements and medical record related to the complaint of the complainant brought out tell tale signs of wrongful confinement and torture in the police station. However, in spite of

several notices and opportunities, the complainant has not come forward to make any statement on oath or substantiate the material placed on record. Her adamant attitude in not being able or willing to depose before this Commission is neither understandable nor acceptable, even though she may be under continuous threat from the police. It emerges from the record that the complainant and her son have been investigated in a number of theft cases and her son is already convicted and undergoing imprisonment in a case.

4. In the above set of facts, in absence of sufficient, reliable and cogent evidence about the serious allegations about violation of human rights against the police, no mandatory recommendation could be made. However, it should not amount to a licence to torture an accused person and more particularly women in a manner which is absolutely illegal, unauthorised and, in-fact amounting to several criminal offences. With these observations, the case is disposed as dismissed without any recommendation.

Sd/-
Justice D.H.Waghela,
Chairperson

Therefore, I have been directed by the Hon'ble Commission to inform you accordingly.

Yours faithfully,

Assistant Registrar,
KSHRC

Copy to: Smt. Jabeen Taj, W/o Late: Ejaj Pasha, Pillaganahalli Village Post, Koli Farm Gate, Banneraghatta Road, Bengaluru-560083