



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

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SHRC/VGM/ 9/2010/ 2282

Date: 8/9/2010

Case No. – 1227/2006- 07

Name of the complainant : Altaf Ahmed
All India Majlis – E – Itihad – UI – Muslimeen
Jawahar Nagar, Near Baba Nagar,
Nanded – 431 602

Vs.

- 1 The Addl Commissioner of Police
ATS (R), Nagpada,
Opp Hium High School,
Sir J J Marg,
Mumbai
- 2 The Superintendent of Police
Nanded.

Date : 24 August 2010

Coram : Justice V G Munshi, Member

ORDER

Read the averments made in the complaint and the report received from Respondent Superintendent of Police, Nanded. Read the case papers and written notes of arguments submitted by the complainant. Heard the parties.



2. Present complaint is made by "Organiser Marathwada A I M I M Party, Nanded" for and on behalf of "All India Majlis – E-0 Ittehad – UI – Muslimeen, in respect of incident dated 10th of February 2007 of blast occurred in a Biscuit Shop situated in Shastri Nagar, Bhausar Chowk, Nanded.

3. Before proceeding with the merits of the case, points to be decided etc. it is necessary to acquaint ourselves with the facts and circumstances of the case with which we are concerned.

A bakery shop 'Amol Biscuits' was run by deceased Pandurang Bhawanrao Amilkanthwar, by taking these shop premises on hire from its owner Shriram Mangalikar, a retired teacher. Various bakery products, grocery articles etc, were sold in the said shop.

4. The alleged incident occurred at about 11.30 p.m. in the night. The shop was then closed from inside. The shop was then closed from inside. The owner of the shop premises heard a terrific sound of blast from the shop. He found that the shop caught fire. The proprietor of shop Pandurang Amil Kanthwar died on spot while Dyaneshwar Manikrao did sustain 70% burn injuries. The injured person was removed to the hospital for treatment. The people gathered there extinguished fire. The matter was then reported to the Police. Kiran Mangalikar did file complaint in Police Station about this incident. The Police believed it to be an accident and therefore, registered accident death case No. 9/2007.

5. An attempt was made to show that this incident did happen due to electric short circuit. Later, the injured person Dyaneshwar did change his version and stated that petrol was poured over the outdated stock of biscuits and then it was set on fire, in order to claim and get money from Insurance Company. The complainant has come with a definite case that the explosion did not take place because of electric short circuit or by setting goods on fire. In other words, according to the complainant the incident occurred or explosion taken place while handling or preparing liquid bomb. The complainant cites number of circumstances and ruled out the possibility of fire by electric short circuit, or by pouring petrol etc. According to them the intensity of the explosion was such that, must have been caused by some liquid bomb. The complainant suspected that some antisocial persons were involved and engaged in such antinational activities. The complainant got doubt of all these persons, to be responsible, for the explosions take place in Nanded City during recent past. The complainant is therefore, of the opinion that proper inquiry must be made in such matter, and proper action needs to be taken,



R/R,HR

order to prevent occurrence of such incident in future. Therefore, he knocked the doors of the Commission and prayed for inquiry afresh in this matter.

6. The Respondent Superintendent of Police, Nanded by filing their report denied and disputed all the allegations made against them in the complaint. According to them no such incident as suggested by the complainant ever taken place. According to them they could not find any evidence to suggest the case of the explosion of liquid bomb or preparation of liquid bomb etc. It is their case that both the suspected persons (accused) died. An Abeatd Summary Report was submitted to the Court and the Court disposed of the matter accordingly. In short according to the Respondent it was not a case of explosion of chemical or petrol bomb.

7. Though both the suspected persons, in this incident died, and abeatd summary is presented, the complainant raised certain questions for investigation.

- (i) Since long such activities are going on.
- (ii) Who are the main culprits and mastermind.
- (iii) Who are associate and help indirectly.
- (iv) What was the main ill moto and aim
- (v) To find out the actual place of implanting the blast.

Number of bomb blast incidents taken place in that area during relevant period. Therefore, the complainant was justified in suspecting that present incident was one of the incident of the chain. For the safety and welfare of people, it is necessary to have investigation in this matter on these lines. It is necessary to have proper investigation in this matter, followed by suitable stern action. The complainant by filing their notes of arguments referred all the circumstances and tried to substantiate their case. It was argued by legal representative Teesta Setalwad that, if all the circumstances considered and taken together they point towards the case of explosion of petrol bomb or liquid bomb. There is force in the submissions made by the learned legal representative and therefore, we have to accept the same. After going through all the circumstance appearing in this case. I am also of the opinion that an inquiry afresh by ATS is necessary in this matter. I therefore, make following recommendation in view of Section 18 of the Protection of Human Rights Act, 1993.

- (A) **Superintendent of Police, Nanded to hold and complete an inquiry afresh in this matter through ATS in the light of observations made in the order and to take suitable action if any accordingly.**



R/R,HRG -RECOMM

(B) Copy of this order be sent to Superintendent of Police, Nanded through Secretary – State Human Rights Commission, Mumbai for their information and necessary action. Compliance may be reported.

With these observations and recommendations Case No. 1227/2006-07 is disposed of accordingly.

The Secretary to communicate this order to the parties concerned.



sd/-
(Justice V G Munshi)
Member, SHRC

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