



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

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SHRC/VGM/3/2011/ 533
Date: 17/3/2011

Case No. – 295/2008-09 with Case No. 2251/2008-09

Name of the complainant : Appaji Gaman Salve
Janata Madhyamik Vidyalaya
Vitai, Tal Sakri, Dist Dhule

Vs.

The Superintendent of Police
Dhule (Rural)

Date : 10 March 2011

Coram : Justice V G Munshi, Member

ORDER

Read the averments made in the complaint and report received from the Respondent Sub Divisional Police Officer (Dhule Division), Sakri. Read the case papers. Heard the parties.

2. The important facts of the case of the complainant may be briefly stated as under.

The complainant Appaji Goman Salve was then working in Janata Middle School Viatai, Tal Sakri. He made present complaint about incident dated 08.01.2008 against Respondent Rajendra Sitaram Desai, Sushma Shankarrao Kale and other persons. It was alleged that they all joined together and beaten and injured him. It was further alleged that these persons even joined hands with Police. The Police and PSI



Wagh severely beaten him in Police Station. Therefore, he filed complaint in Police Station. It was alleged that Police did not take any action against accused persons. The complainant apprehends danger to his life and person at the hands of these persons. Therefore, he is unable to do service properly. He was not given salary and therefore, he is leading miserable life. Therefore, he filed complaint (No. 295/2008-09) and claimed action in this matter.

3. Later on the complainant did file similar complaint (No. 2251/2008-09) before Commission in respect of same incident dated 08.01.2008 and claimed same relief. Therefore, both these cases No. 295/2008-09 and No. 2251/2008-09 were heard together and are decided by common order.

4. The Respondent SDPO, Sakri by filing their report denied and disputed all the allegations made against them in the complaint.

5. The report shows that in respect of this incident on the basis of the complaint given by complainant, offence at Cr.No. 6/2008 was registered in Police Station, Sakri against Sushmabai Kale and other persons. SDPO Sakri did investigation in this crime and submitted 'B' Final Summary to the Court for according sanction.

6. It was alleged by the complainant that Respondent Police have joined hands with other side, did not do proper investigation, did not take proper action in this matter and in the last tried to suppress the incident etc. In reply it was submitted by Respondent Police that the complainant has formed an habit of filing such false cases against the parties. It was alleged by the complainant that he did sustain severe injuries on his person because beating given to him by these persons and Police. The Report mentions that no visible external injury was noticed. Therefore, Police submitted proposal of 'B' Final Summary.

7. After going through the case papers, I am of the view that injury afresh is necessary in this matter, because the complainant made several allegations against the Police. I therefore, make following recommendations in this matter.



R/R, HRG AND CLOSED - RECOMM.

- (A) Superintendent of Police, Dhule either himself or through Senior Police Officer to make inquiry afresh in this matter, in the light of observations made above and to take suitable action if any, according to law.
- (B) Copy of this order be sent to Superintendent of Police, Dhule for information and necessary action, and compliance may be reported.
- (C) Copy of this order be sent to Superintendent of Police, Dhule through Secretary Maharashtra State Human Rights Commission, Mumbai for information and necessary action.

With these observations and recommendations Cases No. 295/2008-09 and 2251/2008-09 are disposed of accordingly.

The Secretary to communicate this order to the parties concerned.



✓
sd/r
(Justice V G Munshi)
Member, SHRC