



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

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SHRC/VCW/06/2010/ 1863

Date: 13 July 2010

Case No. – 3209/2007-08

Name of the complainant : Sunil L Somvanshi
A – 1/11, Bhosale Paradise
Off Range Hill Road, Bhosale Nagar
Pune – 20.

Vs.

The Dy Commissioner of Police
(Crimes), Pune.

Date : 18 June 2010
Coram : Justice V G Munshi, Member

ORDER

Read the averments made in the complaint and the report received from Respondent Asst Commissioner of Police (Crimes), Pune. Read the report received from Investigation Wing of the Commission. Read the case papers. Heard the parties.

2. 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.

The complainant is Builder and Developer and is resident of Pune. Sometimes in the year 1997 the complainant entered into an agreement to develop the land S.No. 207/3 and S.No. 208/4 situated at Village Wakad, with Mrs. Davalbhakt. He



constructed one six storey building and two bungalows on the land from S.No. 208/4. He got possession of land S.No. 207 from the owner in the year 2001 after settling the dispute with landlord. In meantime disputes arose among the parties over payment of land costs etc. The parties filed civil suits against each other in Civil Court Pune and these matters are still subjudice before the Court.

3. That on 15.01.2001 near about 30 to 40 persons came on the land of complainant, uprooted boards of the name of complainant and installed the boards bearing name of Ajay Jaywant Bhosale. They erected fencing around the remaining developed land. That on 16.01.2001 at about 11.15 a.m. about 11.15 a.m. about 20 to 25 persons came on the site. The complainant was present in his office. They shown fire arms to the complainant and given threats to the complainant with dire consequences, if anybody removed the board affixed by them on this site. That on 19.01.2005 and 21.01.2005 Ajay Bhosale, Ajay Balal, Santosh Kaspate, Maruti Kaspate and other persons came on the site and removed the iron angles and building material belonging to the complainant. It was the grievance made by the complainant he made complaint in writing in Police Station, but Police did not take any action. Therefore, he was required to make complaint to higher Authority. Then after delay, offence at Cr. No. 13/2005 under Sections 143, 148, 149, 506 (2), 452 of IPC was in Police Station on 09.02.2005.

4. It was alleged by the complainant that Sr. PI Police Station Hinjawadi made abnormal delay in registering the offence and to take action against the other side. Secondly, the Police did not investigate the offence properly and thereby given scope and opportunity to the Respondents to commit further illegal activities. Thirdly, Police did not take action against Sunil @ Raju Pawar and his friends. Fourthly, Police did not take any action when threats were given to the complainant, endangering his life and person. Lastly, the Sr PI Jaffebhai of Police Station Hinjawadi joined hands with other side and helped them every time. Therefore, the complainant moved the Commission for necessary action in this matter.

5. The Respondent Asst Commissioner of Police (Crimes), Pune by filing their report denied and disputed the same. According to them they have taken proper action in this matter.

6. The matter was referred to the Investigation Wing of Commission. The Special Inspector General of Police, recommended thorough investigation in this matter by independent investigating agency.



R/R, HRG - RECOMM.

- (B) The copy of this order be sent to Commissioner of Police, Pune for information and necessary action if any according to law through Secretary – State Human Rights Commission, Mumbai.
- (C) The copy of complaint and copy of Report of Special Inspector General of Police of Investigation Wing of the Commission, be sent to Commissioner of Police, Pune for information.
- (D) Compliance may be reported.

With these observations and recommendations Case No. 3209/2007-08 is disposed of accordingly.

The Secretary to communicate this order to the parties concerned.



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

