



## MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Terminus (VT), Mumbai - 400 001  
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SHRC/VGM/05/2010/ 1344

Date: 15<sup>th</sup> May 2010

### Case No. – 6216/2007-08

Name of the complainant : Shivaji Madhav Tawre  
R/o. MIDC, Beed

Vs.

The Superintendent of Police  
Beed (Rural)

Date : 8 April 2010

Coram : Justice V G Munshi, Member

## ORDER

Read the averments made in the complaint and the report received from Respondent Addl Superintendent of Police, Beed. Read the case papers. Heard the parties.

2. The complainant is senior citizen and runs Cycle Taxi Mart in MIDC area at Beed and earns his livelihood. He is the only earning member in the family. Ashok Shivaji Tavare is his son. He is district head of political party. The alleged incident taken place on 12.02.2008. During noon time in Beed city some unknown persons pelted stones of ST buses and broken the glass panels and damaged the buses. The Police got doubt that Ashok Tavare, son of the complainant might have taken part in the commission of offence. Therefore, Trainee Superintendent of Police, Beed went to the house of the complainant along with huge Police staff. They made inquiry about Ashok Tavare from the complainant. The complainant replied that his son Ashok did not return



home for last two days. They abused and beaten the complainant, dragged him and forcibly sat him in Police van and thus, taken him to the Police Station. According to the complainant he was at home or he did not take any part in the commission of the offence and thus, he was innocent. He was unnecessarily taken to the Police Station and he was humiliated and insulted. Therefore, he moved the Commission for necessary action in this matter.

3. The Respondent Addl Superintendent of Police, Beed by filing their report denied and disputed all the allegations made against them in the complaint. The Respondent admitted that Police had gone to the house of complainant in search of Ashok Taware who had taken active part in commission of offence. They denied that they abused, beaten the complainant or brought him to the Police Station or humiliated etc. It was their case that in all 10 offences are registered against son of the complainant in that sub-division. In the last, it was their case that present complaint was made with malafide intention and motive and to pressurize the Police.

4. It was mentioned that in all 10 offences were registered against Ashok Taware, son of the complainant in different Police Stations. The list of the offences alleged to have been committed by Ashok Taware, is given along with the Report. All these aspects that he was falsely implicated in all these criminal cases etc are to be heard and decided by the Courts where criminal cases are pending and not by the Commission. It was alleged that Police have given harassment or ill treatment after his arrest. The Report mentions that after arrest Ashok Taware was produced before Magistrate at the time of remand. He did not make any complaint of ill treatment or harassment by Police before Magistrate. In such circumstances, it cannot be accepted that Police ill treated Ashok Taware etc.

5. The last question arises in this matter is about harassment given to the complainant. The Report does not show that complainant did commit any offence. Therefore, they had no reason to bring the complainant in Police Station or to harass him etc. If the complainant did not commit any offence, then the Police had no reason, to bring him to the Police Station and to harass him. The complainant did file on record the news paper cuttings, which mention that complainant was taken into custody by Police, and he was insulted, humiliated etc. It is very difficult to ignore the news items appeared in News papers. They fully support the case of the complainant.



Therefore, I am of the opinion that inquiry in this matter is necessary, to find out the truth into the allegations made in the complaint, about harassment, ill treatment etc.

6. I make following recommendations in this matter.

- (i) **Superintendent of Police, Beed either himself or through any other Senior Police Officer to hold proper inquiry into the allegations made in the complainant and to take action if any according to law.**
- (ii) **Copy of this complaint be sent to Superintendent of Police, Beed for information and necessary action through Secretary State Human Rights Commission, Mumbai and compliance be reported.**

With these observations and recommendations Case No. 6216/2007-08 is disposed of accordingly.

**The Secretary to communicate this order to the parties concerned.**



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