

Supreme Court of India

Peoples' Union For Democratic ... vs Police Commissioner, Delhi ... on 13 January, 1989

Equivalent citations: 1990 ACJ 192, (1989) 4 SCC 730

Bench: G Oza, S . K.N.

ORDER

1. Heard learned counsel for the parties.

2. It is an unfortunate case where the police collected poor people and took them to the Police Station for doing some work. They were asked to work without labour charges. On demand they were beaten and it appears that one of them Ram Swaroop succumbed to the injuries and the body has also been disposed of. Petitioner No. 2 Patasi, as alleged, was also stripped of her clothes and was thrashed in the Police Station. The other Eight persons namely (1) Dandwa (2) Ram Prasad (3) Jaipal (4) Mahavir (5) Kannu (6) Munsjia (7) Hukka and (8) Pratap were also beaten up rather than they should have been paid for the work they did at the Police Station.

3. We are happy and we record our appreciation that Mr. A.S. Khan, Deputy Commissioner of Police in his Affidavit has frankly accepted the atrocity committed by the police officers and it also appears some action has been taken and Station House Officer has been arrested. The matter is being investigated for criminal prosecution. It is unfortunate that the police to whom the citizen can approach for protection and help acted in such a manner.

4. Under the above circumstances we direct that the family of Ram Swaroop who is dead will be paid Rs. 50,000/- as compensation, which will be invested in some scheme under the Life Insurance Corporation, so that the destitute family may get some amount monthly and the money may also be kept secured. It is also directed that petitioner No. 2 Patasi who was stripped of her clothes at the Police Station, shall be paid Rs. 500/- as compensation and the 8 other persons namely-(1) Dandwa (2) Ram Prasad (3) Jaipal (4) Mahavir (5) Kannu (6) Munsjia (7) Hukka and (8) Pratap, who were taken in the Police Station without being paid for their work will be paid Rs. 25/- each. It is directed that after investigation and inquiry officers who are found guilty, the amount paid as compensation or part thereof may be recovered from these persons out of their salaries after giving them opportunity to show cause.

5. This Order will not prevent any lawful action for compensation. But in case some compensation is ordered by a competent court, this will be given credit to.

6. The Writ Petition are disposed of accordingly.