



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

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Case No. 4949/2008-09 / 1014

Name of the complainant : Nasim Ahemad Nisar Ahemad
R/o Behind Kali Masjid
Near Amir Kirana, Shah Bazar Zopadpatti
Aurangabad.
V/s
The Commissioner of Police
Aurangabad.
Date : April 4, 2009.
Coram : Justice Kshitij R. Vyas (Former Chief Justice), Chairperson.

PROCEEDINGS

The complainant is present at the time of hearing. On behalf of the respondent Assistant Commissioner of Police Shri R. J. Ghorale of Aurangabad City is present. The report is already filed in the case.

The complainant alleges that his son has been murdered by few people against whom proper inquiry and action was not taken by the police. According to the complainant before the murder, he was threatened too, but City Chowk Police Station and the Commissioner of Police did not come to his rescue. After his death, suspicious evidences were found which indicated that it was a criminal conspiracy, yet the police did not make a probe into the case. The complainant, therefore, prays inquiry and action in the matter.

The report submitted by the Commissioner of Police, Aurangabad, it has been pointed out that the police has made thorough investigation into the untimely death of the son of the complainant. According to the police, the son of the complainant with his friends has gone for swimming where the well is situated. Because of rain well was full of water. The boys decided to swim in the well. While doing so, the son of the complainant drowns in the well. The Post Mortem report also confirms the death due to **Asphyxia due to Drowning**.

As the complainant is not prepared to accept the say of the police and has submitted many circumstances which according to the complainant disprove the theory of the police, The ends of justice shall be made if the following directions are given:

The Commissioner of Police, Aurangabad shall see to it that the entire investigation may be entrusted to the Crime Branch, Aurangabad. The said Crime Branch shall re-investigate the case, taking into consideration the circumstances that may be pointed out by the present complainant. The investigation may be completed as early as possible and preferably within 3 months from the date of receipt of the order. The compliance report shall be submitted to the Commission within one month thereafter.

With the above directions, the case is closed.


(Justice Kshitij R. Vyas)
Chairperson.

Camp-Aurangabad; April 4, 2009.