

महाराष्ट्र राज्य मानवी हक्क आयोग



**Maharashtra State Human Rights Commission
(MSHRC)
Mumbai**

Allotted to Court No. : 1/ 2/ 3

DOCKET SHEET

SUO MOTU CASE NO: 422/13/4/2023

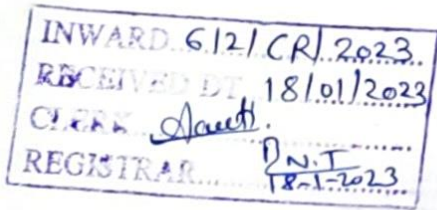
News item appeared in English News Paper " THE TIMES OF INDIA "

On 16.1.2023, in respect of " Maha ACP booked for molestation,
stalking" and in Marathi News Paper "LOKMAT" on 16.1.2023, in respect
of "एसीपी चे महिलेशी कारमध्ये अश्लील चाले "

SUMMARY

THE TIMES OF INDIA

16-1-2023 Page 12



Maha ACP booked for molestation, stalking

Mohammed Akhef
@timesgroup.com

Aurangabad: A serving assistant commissioner of police (ACP) with the Aurangabad city police has been booked on the charge of molesting and stalking a 30-year-old woman and creating a ruckus while forcefully entering her house between 1.45am and 2.30am on Sunday. The ACP is also accused of abusing and slapping the woman's husband and getting physical with the couple's neighbours and relatives when they tried to intervene during a 45-minute drama in the early morning hours.

The woman's husband dialed 112 and a police team reached the spot and took the ACP along with them. The City Chowk police station registered a first information report (FIR) almost eight-and-a-half hours later and did not refer the ACP to a medical test. "The police were initially reluctant to register a case. It was only after MLC Amba Danve's intervention that they relented," he alleged.

When contacted, Aurangabad police chief Nikhil Gupta told TOI, "I have no comment to offer, but we will soon issue a statement on this matter."

Later, Aurangabad city crime branch inspector Avinash Aaghaav issued a statement that read: "Based on the affected woman's complaint, a case for offences under Section 354 (outraging modesty), 354-A (sexual harassment), 354-D (stalking), 452 (house trespass) 323 (causing hurt), 504 (intentional insult) and 506 (criminal intimidation) of the Indian Penal Code has been registered."

The statement read, "The investigation of the case has been handed over to the deputy commissioner of police (zone II) Shilwant Nandedkar. The ACP has been moved out with immediate effect from his present posting to a new assignment."

When contacted, the ACP told TOI, "I am being falsely implicated as I am investigating a sensitive case and had already informed the police chief about such a possibility."

16-1-2023

‘एसीपी’चे महिलेशी कारमध्ये अश्लील चाळे पती, सासूला शिवीगाळ : गुन्हा दाखल

लोकमत न्यूज नेटवर्क
औरंगाबाद : शहर पोलिस दलातील



गुन्हे शाखेचे
सहायक पोलिस
आयुक्त विशाल
दुमे यांनी
दारूच्या नशेत
धावत्या
कारमध्ये एका

महिलेशी अश्लील चाळे केले. नंतर
घरी गेल्यावर त्या महिलेच्याच
बेडरूममधील वॉशरूम
वापरण्यासाठी आग्रह करित तिचा
पती, दीर, सासूला शिवीगाळ व
धक्काबुक्की केली. हा प्रकार
शनिवारी मध्यरात्रीनंतर २.३०
वाजेच्या सुमारास घडला. याप्रकरणी
दुम्रेच्या विरोधात विनयभंगासह घरात
घुसल्याचा गुन्हा नोंदविण्यात आला.
पीडिता पती, मुलीसह एका
रेस्टॉरंटमध्ये रात्री जेवण्यासाठी गेली
होती. तिथे दुमे हे मित्रासह आले होते.
पीडितेच्या पतीची दुम्रेसोबत ओळख

तडकाफडकी बदली

पोलिस आयुक्त डॉ. गुप्ता यांनी
एसीपी दुमे यांची तडकाफडकी
नियंत्रण कक्षात बदली केली.
घटनेचा अहवाल गृह
मंत्रालयाला पाठवला.
निलंबनाचा निर्णय गृह
मंत्रालयस्तरावरच होईल, असे
वरिष्ठ अधिकाऱ्यांनी सांगितले.

होती. दुम्रेनी पतीला पोलिस
आयुक्तालयासमोर सोडण्याची
विनंती केली. पावणेदोन वाजता सर्व
कारने निघाले. पीडिता पुढील सीटवर
मुलीसह बसली होती. दुमे मागच्या
सीटवर होते. त्यांनी मागून
पीडितेसोबत अश्लील चाळे सुरू
केले. नंतर ते पीडितेच्या घरी गेले.
पीडितेच्या बेडरूममधील वॉशरूम
वापरण्याचा आग्रह केला. दुम्रेनी सासू
आणि पतीला शिवीगाळ केली. पतीने
पोलिसांना बोलवले. नागरिकही
धावले. पोलिस दुम्रेना घेऊन गेले.

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus, Mumbai – 400 001

Tel : 22092857 Email:- court1-mshrc@mah.gov.in

KKT/Suo Moto Case No.-422/13/4/2023

Name of Respondent : The Additional Chief Secretary
State of Maharashtra
Home Department
Mantralaya, Mumbai

The Commissioner of Police
Aurangabad

Date : 16th January 2023

Coram : Justice K.K. Tated, Chairperson

PROCEEDING

Not on board. Taken on board.

1. We noticed news appeared in English News paper dated 16.01.2023 on page 12 with heading "Maha ACP booked for molestation, stalking" and in Marathi news paper Lokmat dated 16.01.2023 on page 1 with heading "‘एसीपी’ चे महिलंशी कारमध्ये अश्लील चाळे"
2. It is stated in the said news article that a serving Asst. Commissioner of Police (ACP) with the Aurangabad City Police has been booked on the charge of molesting and stalking a 30-year old women at her house between 1.45 a.m. and 2.30 a.m. on Sunday 15.01.2023.
3. It is also stated in the said news that City Chowky Police Station registered F.I.R. almost 8 ½ hours later and did not refer the Asst. Commissioner of Police to a medical test. The Police were initially reluctant to register a case. It was only after MLC Amba Danve's intervention that has been registered.
4. It is very shocking that a Police Officer of cadre Asst. Commissioner of Police committed so serious offence and City

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Chowky Police Station registered F.I.R. after more than eight hours. Apart from the Police Authority has not taken the said instance seriously.

5. Considering these facts it is necessary to take up these issues under Section 12 of the Protection of Human Rights Act, 1993 as Suo Moto case, as same is affecting the human rights of several people. Hence, the following order is passed:

- a) Office is directed to issue summons to the Additional Chief Secretary, State of Maharashtra, Home Department, Mantralaya, Mumbai and Commissioner of Police, Aurangabad directing them to hold fact finding inquiry immediately and submit report in any case on or before 31.01.2023. He is further directed to place on record CCTV footage of the said incident without fail on next date.
- b) Commissioner of Police, Aurangabad is directed to inform the victim's family about this order and also inform them, if they want they can also file their say in the present matter.
- c) **Matter to appear on board before Division Bench of Justice K.K. Tated, Chairperson and Shri. Bhagwantrao D. More, Member in Court No.1 on 31st January 2023 at 11.00 a.m.**


(Justice K. K. Tated)
Chairperson



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus, Mumbai - 400 001

Tel : 22092857 Email:- court1-mshrc@mah.gov.in

DIVISION BENCH

KKT/Suo-Motu Case No-422/13/4/2023

Respondent : The Additional Chief Secretary
State of Maharashtra
Home Department
Mantralaya, Mumbai

The Commissioner of Police
Aurangabad

Date : 02nd March, 2023

Coram : Justice K.K.Tated, Chairperson
Bhagwantrao D.More, Member

PROCEEDING

(Per Hon'ble Chairperson)

Shilwant Nandedkar, DCP, Zone-II, Aurangabad City.

DCP filed report dated 01.03.2023 which is marked as Ex.' B'.

2. The present proceeding initiated u/s.12 of the Protection of Human Rights Act, 1993 on the basis of news appeared in Marathi Newspaper "Lokmat" dated 16.01.2023 page 1 with title " एसीपी चे महिलेशी कारमध्ये अश्लील चाळे".

3. As per order dated 16.01.2023 police authority submitted report dated 13.01.2023 Ex.'A' & 01.03.2023 Ex.'B'. DCP submits that they registered Crime No.27/2023 on 15.01.2023 u/s.354,354-A,354-8,452,323,504& 506 of I.P.C. He submits that they immediately arrested the accused Mr.vishal Dhume who was working as A.C.P. He submits that Shri Dhumal approached to the Judicial Magistrate, Court No.3 Aurangabad by way of bail application. He submits that after considering documents on

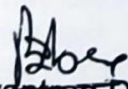
vvs

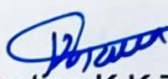
record the Ld Judicial Magistrate granted bail. Operative part of the order of bail dated 16.01.2023 read thus :

1. "Bail application is hereby allowed."
2. "Accused is hereby released on P.B. and S.B. of Rs 25,000/-."
3. "Accused shall not temper the evidence of prosecution & shall not abscond from the jurisdiction of this Court."
4. "He shall assist the police agency in investigation if necessary."
5. "He shall not pressurized the informant & the witnesses".

4. D.C.P. further submits that departmental enquiry initiated against accused Dhume & he suspended. It is to be noted that now the matter is pending in Court & also departmental enquiry is going on & no one represented on behalf of victim inspite of intimation. There is no question of continuing with this Suo-Motu complaint. Hence following order

Suo-Motu complaint stands closed & disposed off.


(Bhagwantrao D. More)
Member


Justice K.K. Tated)
Chairperson