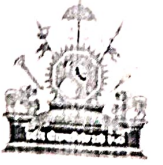




MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

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



Tel: 022-22092857

E-mail: court1-mshrc@mah.gov.in

No. MSHRC/AMB/01/2026/ 674
Date: 26 February 2026

To,

1. The Additional Chief Secretary
Home Department
Mantralaya, Mumbai
2. The Director General of Police
State of Maharashtra, Mumbai
3. The Additional Director General of Prison
& Correctional Services
Pune
4. The Superintendent
Parbhani District Prison
Parbhani
5. The Superintendent of Police
Parbhani
6. The District Magistrate
Parbhani

Sub: Order in CD Case No. 4512/13/22/2024-JCD dated 06.01.2026

I am directed to intimate to you to comply with the orders / directions of the Commission.

You are requested to comply with the orders within one month or as specified in the order. The compliance report be kindly submitted to this office as per Section 18 (e) of the Protection of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission (Procedure) Regulations, 2011.

Encl. Order copy (05 Pages)


(Pradeep Kumar Dange, IAS)
Secretary

**MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI**

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus,
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Division Bench**C.D Case No. 4512/13/22/2024-JCD**

Name of the Authority :

1. The Superintendent
Parbhani District Prison,
Parbhani.
2. The Superintendent of Police,
District Parbhani.
3. The District Magistrate.
District Parbhani.

Name of the Deceased: Ramu Shukla Bamne

Date of Death : 04.08.2024

Date : 06 January 2026

Coram : Justice, A.M.Badar, Chairperson
Shri Sanjay Kumar, Member

PROCEEDING

(per: Sanjay Kumar, Member)

1. This is a case in respect of death of Ramu Shukla Bamne, under trial prisoner who died on 04.08.2024, when he was in custody. The case has been initiated at the Commission on the intimation of Superintendent of Police, Prabhani District Prison by his wireless message dtd. 04.08.2024.

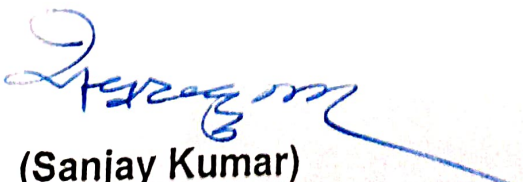
2. Under trial prisoner Ramu Shukla Bamne, age 28 years was arrested by Sonpeth Police Station in Cr.No. 196/2024 U/s. 103 (1) of BNS and confined in Prabhati District Prison on 04.07.2024 as per the order of JMFC Sonpeth, Parbhani. On 30.07.2024, the prisoner was diagnosed positive for hepatitis (B) and he was sent for treatment to hospital Prabhani, on 31.07.2024, he was admitted for the treatment. While undergoing treatment on 04.08.2024, he has committed suicide by hanging himself with the rope used for handcuffing.
3. As mandated in the BNSS, an inquiry U/s. 196 (1) of BNSS 2023 in respect of the suicidal death by prisoner Raju Shukla Bamne (hence deceased) was conducted by Second Joint Civil Judge and JMFC Prabhani. During inquiry, Hon'ble Magistrate has examined and recorded the statements of 12 witnesses including the brother of deceased, Sardar S Babane. He has examined documents related with the accidental death registered in the case including Inquest Panchanama, final cause of death certificate Postmortem report and CCTV footage for relevant period.
4. The Hon'ble Magistrate has concluded his report by saying that the deceased has committed suicide by hanging himself with the rope. He has further mentioned that there is also apparent negligence by Police guard to be properly supervised over all prisoners accused to avoid said unfortunate incident. He has exclusively mentioned the negligence on the part of Police Naik Ramprasad Datta Kokate, Buckle No. 33 who was on duty at the time of incident. The report has ruled out any negligence in providing medical support to the deceased by the prison officials. The final cause of death is given by the experts as "hanging".

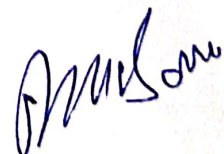
5. The report received on behalf of SP, Parbhani by API, Shri. Manoj Surwade dtd. 05.01.2026 informed that for negligence in conducting the security duty, of prisoner. Necessary disciplinary action was initiated against 1. ASI, Vikram Sakham Pandit, 2. Police Head Constable Ravi Gyanba Ghule 3. Police Naik Ramprasad Datta Kokate, 4. Vinayak Bhokare, 5. Vijay Ubhale. They have been rewarded with stoppage of increment for 2 years. The Commission has undergone the documents of accidental death which includes inquest Panchanama, postmortem notes, and final cause of death certificate. No external injury was found except the ligature marks on the neck during the inquest Panchanama or postmortem. The final cause of death was concluded to hanging by expert. Despite these facts that the deceased has committed suicide by hanging himself with the rope.
6. Although, in this case, on the basis of report and enquiry, it was inferred that the death was suicidal, however, it is a fact that the safety and security of the Prisoner is the responsibility of the concerned Prison authority. There is a great responsibility on the prison authorities to ensure that the citizen in its custody is not deprived of his right to life. His liberty is in the very nature of things circumscribed by the very fact of his confinement and therefore his interest in the limited liberty left to him is rather precious in case of prisoner.
7. The duty of care on the part of the State is strict and admits no exceptions. Any incident affecting the life of individual including suicide under the custody of Police or Prison Authority, where he is kept for

safety, security and protection, for any lapse, intentional or otherwise, State is vicariously liable for the same.

8. Following the welfare concept, even in motor accidents and other acts of fatal accidents, the concept of 'No Fault Liability' is emerging, to keep a track with the doctrine of 'Strict Liability' by analogous principle. This should be applied in the case of custodial death, including suicide, while in judicial custody. The next of kin and other dependent family members suffer because State failed in providing security to their breadwinner. The duty to take care and protection of prisoner in custody lies with the State, and in this case Jail Officer failed to do so. State being *parens patriae* of its citizens, is vicariously liable to pay compensation to the next of kin (NOK) of deceased.
9. It is now a well-accepted proposition in most of the jurisdictions that monetary or pecuniary compensation is an appropriate and indeed an effective and sometimes perhaps the only suitable remedy for redressal of the Infringement of the fundamental right to life of a citizen and the State is vicariously liable for their acts. The objective is to apply balm to the wounds.
10. The State Commission is of considered view that kin of the deceased should be paid compensation for the lapses in keeping the deceased safe and secure. While awarding the compensation to next of the kin of the deceased, the State Commission has accepted the amount - prescribed in the GR Issued by Government of Maharashtra on April 28, 2025 in regard with suicide committed by the prisoner in custody.

11. In view of the above, the State Commission, by invoking its power assigned in section 18 of The Protection of Human Rights Act, 1993, makes following recommendations:
12. The state is recommended to pay to next of the kin of the deceased (Raju Shukla Bamne) compensation of Rs.1,00,000/- (One Lakh Only) within 8 weeks, from the date of receipt of this order. In case of failure, the State will be liable to pay interest on amount of compensation at rate of 8% simple Interest per annum till actual realization of the whole amount.
13. Ld. Secretary attached with the Commission will forward the copy of the order to the office of Additional Chief Secretary, Home Department, Mantralaya, Mumbai, Director General of Police, Maharashtra State, Mumbai and Addl. Director General of Prison and Correctional Services, Pune for necessary compliance in accordance with the provision u/s 18 (e) of Protection of Human Rights Act, 1993 r/w regulation 22 to 24 of Maharashtra State Human Rights Commission (Procedure) Regulation, 2011.
14. With these recommendations, Case no **4512/13/22/2024-JCD**, is closed and stands disposed. Office is directed to inform the kin of deceased about the order.


(Sanjay Kumar)
Member, SHRC


(Justice A.M. Badar)
Chairperson, SHRC