



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/03/2026/ 754

Date: March 2026

02/April 2026

To,

1. The Additional Chief Secretary
Home Department
Mantralaya, Mumbai
2. The Additional Director General of Police
Protection of Civil Rights, Mumbai
3. The Additional Director General of Prison
& Correctional Services
Pune
4. The Superintendent
Solapur District Prison
Solapur
5. The Commissioner of Police
Solapur
6. The District Magistrate
Solapur
7. The Superintendent
Yerwada Central Prison
Pune
8. The Commissioner of Police
Pune
9. The District Magistrate
Pune
10. The Medical Superintendent
Regional Mental Hospital,
Yerwada, Pune

Sub: Order in CD Case No.354/13/28/2020-JCD dated 11.02.2026
(Pronounced on 11.03.2026).

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)

(Pradeepkumar Dange, IAS)
Secretary

Per

Pradeepkumar Dange
01/04/26


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Division Bench
Case No. 354/13/28/2020-JCD

Name of the Authority : 1. The superintendent
Solapur District Prison
Solapur
2. The District Magistrate,
Solapur.
3. The Commissioner of Police,
Solapur.
4. The Superintendent of Police,
Yerwada Central Prison
Solapur.
5. The District Magistrate
Pune
6. The Commissioner of Police,
Pune.
7. The Medical Superintendent
Regional Mental Hospital
Yerwada, Pune- 6.

Name of the Deceased : Sunil Vijaysing @ Rampal Prajapati

Date of Death : 21st Jan 2020

Date of Order : 11th Feb 2026

Date of Pronounced : 11th March 2026

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

PROCEEDING

(per: Sanjay Kumar, Member)

1. This case is in regard to the custodial death of Undertrial Prisoner No. 2240/2019, Sunil Vijay Singh @ Rampal Prajapati, aged 22 years, resident of Post Eklod, Tal. Bijapur, District Sopur, Madhya Pradesh.

The Commission received an intimation about this custodial death from the Superintendent of Prisoners, Solapur, on 21.01.2020. In this case, prisoner Sunil Vijay Singh was transferred to Yerwada Central Prison, Pune on 09.12.2019 under the order of the Ld. JMFC, Railway Court, Daund. The prisoner was treated at Yerwada Central Prison, Pune up to 01.01.2020. Thereafter, he was shifted to the Regional Mental Hospital, Yerwada, Pune for further treatment by the order of the Hon'ble Court. The said prisoner, on 20.01.2020, committed suicide while undergoing medical treatment at the Regional Mental Hospital, Yerwada, Pune.

2. The prisoner was arrested by Kurudwadi Railway Police Station, Solapur on 18.02.2019 in C.R. No. 118/2019 under Section 302 IPC and was remanded to judicial custody by the Hon'ble JMFC, Railway Court, Daund, Pune. He was transferred, by order of the Court, to Yerwada Central Prison, Pune for medical treatment of his ailment.
3. Pursuant to the intimation of custodial death, reports were sought from the respondents. Accordingly, the reports from the Superintendent, Solapur Prison, along with the cause of death, Inquest Panchanama, and the report of the Superintendent, Regional Mental Hospital, Yerwada, Pune were received.
4. The Postmortem Report and the Inquest Pachamama did not show any injury, except the injury caused by hanging, on the body of the deceased. The Forensic Medicine Department, B. J. Medical College and Sassoon General Hospital, Pune, has given the probable cause of death as "asphyxia due to hanging (unnatural)."

5. In such a case, the moot question to be decided is whether there was any negligence on the part of the authority who was supposed to take care of the life and security of the prisoner. During the proceedings, the Medical Superintendent, Regional Mental Hospital, Yerwada, Pune was asked to submit his say on the issue. Accordingly, a report dated 09.02.2026 was submitted by Shri Shrinivas Kolod, Superintendent, Regional Mental Hospital, Yerwada, Pune.
6. The report submitted by the Superintendent, Regional Mental Hospital, Pune revealed that after the admission of the prisoner to the Regional Mental Hospital on 01.01.2020, he underwent medical assessment by the officer on duty. During the examination, he remained silent and did not answer any of the questions asked by the treating doctor. He was not aware of his surroundings. After the examination, he was sent to the ward. The next day, a psychiatrist, medical officer, and social service superintendent examined the patient, but the prisoner was non-cooperative with the treatment. He was prescribed Tab. Lorazepam and his counselling was started. Considering the condition of the prisoner, he was kept under special watch, where he was examined twice every day by a psychiatrist of the hospital, and for his protection and physical security, one male attendant was deployed. On the morning of 21.01.2020, when the psychiatrist went for his examination, he was found self-absorbed and did not answer any questions asked by the psychiatrist. At 03:15 p.m., he was found hanging with the help of a red cloth tied to the rod of the window. After examination, the doctor declared him dead.

7. For the incident, an internal inquiry committee was constituted by the management of the hospital. During the inquiry, it was found that the Havaladar and the staff of the ward who were assigned to look after the prisoner undergoing treatment were absent without permission. Besides, out of the two Police Constables deployed for the security of the prisoner, only one was present, and he had not made any effort to visit and patrol the ward.
8. In view of the above facts, the Commission is of the view that the Regional Mental Hospital failed to keep the prisoner in safe custody. The absence of the staff and police officers deployed for the security and safety of the prisoner suffering from mental illness provided the opportunity for him to commit suicide.
9. It is a well-accepted proposition in most 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 such acts. The objective is to apply balm to the wounds. The State Commission is of the view that the next of kin of the deceased prisoner should be paid compensation by the State for the lapses by its agents in keeping the deceased safe and secure. While awarding compensation to the next of kin of the deceased prisoner, the State Commission has accepted the recommendation prescribed in the GR issued by the Government of Maharashtra on April 28, 2025 in regard to suicide committed by a prisoner in custody.

10. In view of the above, the State Commission, by invoking its powers assigned under Section 18 of the Protection of Human Rights Act, 1993, makes the following recommendations.
- a. The State is recommended to pay to the next of kin of the deceased prisoner (Sunil Vijay Singh @ Rampal Prajapati) compensation of Rs. 1,00,000/- (One Lakh) within 8 weeks from the date of receipt of this order. In case of failure, the State will be liable to pay interest on the amount of compensation at the rate of 8% simple interest per annum till the actual realization of the whole amount.
 - b. The Ld. Secretary attached to the Commission will forward a copy of the order to the Deputy Secretary, Desk Officer, Pol-14, Home Department, Government of Maharashtra, Nodal Officer for the State appointed by GR dated 04.02.2026; the Additional Director General of Police, Protection of Civil Rights (PCR), Maharashtra State, Nodal Officer for the Police Department appointed by GR dated 04.02.2026; and the Additional Director General of Prisons and Correctional Services for compliance as per the provisions of Section 18(e) of the PHR Act, 1993, read with Regulations 22 to 24 of the Maharashtra State Human Rights Commission (Procedure) Regulations, 2011.
 - c. The Office is directed to inform the next of kin of the deceased prisoner about this order.
 - d. With this recommendation, Case No. 354/13/28/2020 is closed and stands disposed of.



(Sanjay Kumar)
Member, SHRC



(Justice A.M. Badar)
Chairperson, SHRC

