

Investigation Report into Suicide of Bhupinder Singh, Truck Operator

After getting information about the suicide of a young truck operator in SAS Nagar on March 18, 2003 through local cable news channel as well as local newspapers and repeated controversy involving the role of local police

, a team of Lawyers For Human Rights International comprising of Arunjeev Singh Walia, Devinder Singh Kamboj and Avtar Singh, was constituted to probe the circumstances under which the deceased committed suicide and whether there was any foul play in the entire incident or not. The team received valuable feedback and technical support by S.P.Singh, an independent Forensic expert and investigator, who runs "Center For Forensic detectives and Investigations". The investigation commenced on March 22, 2003 and went on till March 28, 2003

Particulars of the victim:

Bhupinder Singh, son of Late S.Jasmer Singh, aged around 26 years, marital status- Bachelor, qualification- 8th pass, occupation- truck operator(driver himself) living seperately in a rented accomodation in House No.1958, Phase V, SAS Nagar, Mohali

Places Visited:

- 1.Mohali Truck Union, Phase 6, SAS Nagar
- 2.Police Station,Phase I, SAS Nagar
- 3.House No.2665A, Sector 70, SAS Nagar
- 4.House No.1958,Phase V, SAS Nagar
- 5.Village Badanpur, Tehsil Kharar, Distt.Ropar

Persons interviewed:

1. Baldev Singh "Peersohana", son of Fateh Singh, member Mohali Truck Union, SAS Nagar
2. Baldev Singh Teja, son of Ajaib Singh, Member, Mohali Truck Union, SAS Nagar
3. Baldev Singh Malhi, son of Puran Singh, Member, Mohali Truck Union, SAS Nagar
4. Darshan Kumar, clerk, Mohali Truck Union, SAS Nagar
5. Inspector Rajinder Singh Sohal, the then Station House Officer of P.S. Phase I, SAS Nagar
6. Sub-Inspector Madan Singh, P.S. Phase I, SAS Nagar
7. Assistant Sub-Inspector Piara Singh, P.S. Phase I, SAS Nagar
8. Pritam Kaur, wife of Late Jasmer Singh, mother of the deceased

Facts:

According to Baldev Singh Peer Sohana and other members of Mohali Truck Union, the deceased Bhupinder Singh, son of late Jasmer Singh, aged around 26 years, un-married was a sober man with no bad habits. He was known in the union by the nick name of "Gorkha". He had purchased the truck no. PB-12-C-1348 from Mr. Ranbir Singh, presently President of Truck Union SAS Nagar in January 2002 for a sum of Rs.4.40 lacs. He was a member of the Truck Union SAS Nagar, since then. However, the said truck was not transferred in his name due to a seizure of the original registration documents by the police, after his vehicle was allegedly involved in a road accident in March, 2002. They alleged that the deceased committed suicide due to the mal-treatment and mental harassment caused by the local police at the instigation of some office bearers of Truck Union, SAS Nagar.

The members of the truck union, SAS Nagar stated that the local police used to make "unreasonable demands" commonly called "Begaar" from the Union quite frequently for police works. If the demand is fulfilled without charging any money for the service provided then the police co-operates in their legal or illegal activities and if the "Beggars" (the demand) is refused, the police start harassing them and in order to save themselves from police harassment, the Union has

unanimously decided to obey the demands of the police and whoso ever lends his vehicle for fulfilling this "Begaar" is compensated with small amount being paid from the Union funds. The members of the Union are asked to perform the duty of "Begaar" by the clerk of the Union on rotation basis and every member has to obey this free service, if he is to remain a member of the Union.

On March 15, 2003 at about 9.30 a.m. the clerk of the Union rang the call bell in the compound of the Union and after all the members including Bhupinder Singh(deceased) had gathered there, announced the numbers and owners of the trucks being sent for commercial job work and also announced that there is a "demand"(Begaar) from local Police for transporting police horses from different places in Punjab to Anandpur Sahib in connection with the Hola Mohalla celebrations in Anandpur Sahib. At that time, two policemen in uniform were also present there. Darshan Kumar, Union clerk announced the registration numbers and names of owners of trucks decided to be sent for this "Begaar" as 5324, 8745, 9765 and 1348. But as he called the last number, Bhupinder Singh(deceased) protested at including his truck for "Begaar" on the ground that he had already done similar "Begaar" two months ago when he had gone to Amritsar and that now he is not in a position to perform this "Begaar". Thereafter, he was called to the Union office after about 15 minutes and as per Darshan Kumar, clerk, Bhupinder Singh refused to go on "Begaar duty" and told him that his vehicle may be removed from the rolls of Union and he did not want to remain as a member of Union anymore. At this, the clerk asked the truck no.CH-01-Y-7194 to go to do the "Begaar" in the place of Bhupinder Singh. According to some members of the truck union, the two policemen namely Head Constable Happy Singh and another unknown constable, who had come to the union office with the "demand" on a white official motor-cycle, made Bhupinder Singh to sit in the middle seat of the motor cycle and took him to Police Station Phase I, SAS Nagar. Baldev Singh Peer Sohana, Baldev Singh Teja and Baldev Singh Malhi alleged that they saw the policemen taking the deceased on the said motor cycle at about 10 a.m. on March 15, 2003. Bhupinder Singh was seen coming back to the union compound after about an hour and taking his truck outside the union premises. According to Baldev Singh Teja, another member of the union, Bhupinder Singh after parking his truck in front of the Police Station, Phase I, SAS Nagar came back on foot to the union premises and met him. He was looking upset at that time. On being asked about the reason for his annoyance, Bhupinder allegedly told Baldev Singh Teja that Jagtar Singh, the General Secretary of the union insulted him in people and that he will not remain as a member of the union any more. Baldev Singh Malhi also met Bhupinder Singh, few minutes later and Bhupinder allegedly told him that Jagtar Singh had got him beaten from Head Constable Happy Singh and had not considered his hard financial position. He had also told that he had himself told the union clerk to strike off his name from the union.

After that nobody saw Bhupinder Singh till the news of his death reached the union on March 19, 2003.

According to Baldev Singh'Peersohana', he had gone to the Police Station, Phase I, SAS Nagar in the evening of March 15, 2003 in connection with some private work and when he saw the truck

of Bhupinder Singh lying parked on the road in front of the Police Station, Phase I, SAS Nagar, he went to the Station House Officer, Rajinder Singh Sohal and requested him to release the truck of Bhupinder Singh. Rajinder Singh Sohal, allegedly told him to bring Bhupinder Singh before him and also some office-bearer of the truck union. Then Baldev Singh 'Peer Sohana' took along Gurdev Singh 'Bad majra', the Vice-President of the union with him to the Police Station, Phase I and then SHO Rajinder Singh Sohal, allowed the truck to be taken back. But the truck could not be brought back because one of its front tyre was inflated. According to him, the truck was seen by the union members in the union premises on March 19, 2003, but nobody saw any person bringing the truck to the union premises, which is about 100 meters from the Police Station, Phase I, SAS Nagar.

According to the union members, Bhupinder Singh was a sober person. He never took any drugs, but occasionally took liquor. He was not having any financial insecurity, as they had a flat No.2665A, Sector 70, SAS Nagar and his monthly income used to be around Rs.7000/- to Rs.10,000/- and he was contended with his income and family relations. He used to live separately from his mother for unknown reasons. But his mother denied of having any strained relations with the deceased or extra-ordinary disturbed nature of the deceased. There were no circumstances known to anybody from his family or union members due to which he might have committed suicide.

His dead body was found hanging from the ceiling of his rented accommodation in the night of March 18, 2003. Nobody was present in the house at that time, except the deceased.

Police Version

Rajinder Singh Sohal, the then Station House Officer of Police Station, Phase I, SAS Nagar, stated that on March 13, 2003 he was not feeling well and he had taken medical advice from the S.M.O. of Civil Hospital, Phase VI, SAS Nagar, and he was advised bed rest for three days. Although he was not on leave, but he did not attend his office from March 13, 2003 till March 15, 2003. He denied of having met the deceased on March 15, 2003 or thereafter. He also denied of bringing the deceased to the Police Station, Phase I, SAS Nagar on March 15, 2003. He also denied that the police ever made any "Begaar"(demand) from the truck union. He also denied of making any demand for four trucks on March 15, 2003 from the truck union. However, he admitted that four trucks were voluntarily sent by the truck union to Anandpur Sahib to participate in the Hola Mohalla celebrations. He could not give any reply to the question being asked as to the source of the information regarding sending of four trucks to Anandpur Sahib on March 15, 2003. According to him, the information about the suicide of Bhupinder Singh was received in the police station through an anonymous call on control room no.100 by some unknown female voice at around 10 p.m. on March 18, 2003. ASI Piara Singh of P.S.Phase I, was the first to reach the spot. Later on Inspector Rajinder Singh Sohal, also reached the spot. The dead body was removed to the Civil

Hospital, Phase VI, SAS Nagar by the police, the same night. According to ASI Piara Singh, the statements of two neighbours of the deceased, deceased's mother, his sister, Baldev Singh "Peer Sohana" and few others were recorded at the spot on the same night and proceedings under Section 174 Cr.P.C. were done by him. The post mortem of the dead body was done in Civil Hospital, Phase VI, SAS Nagar according to which the cause of death of the deceased was due to strangulation. According to Inspector Rajinder Singh Sohal, local police had no role in the incident of the suicide by the deceased. According to ASI Piara Singh, all the relatives and friends of the deceased had given similar statement to the effect that the deceased was a habitual drug addict and was of a quarrelsome nature and he was also having strained relations with his mother, because he was forcing her to sell off her property and give him the money of his share, a demand which she was not ready to accept; there was no foul play in the suicide of the deceased and nobody could be blamed for the incident. When we asked Baldev Singh Peer Sohana, Pritam Kaur and Sarabjeet Kaur, mother and sister respectively of the deceased, about their signatures on the statements recorded by the police, they told that they were told to put their signatures on some papers on which something was written, but they were not allowed to read the contents of the said papers. Baldev Singh Peer Sohana told us that he is an illeterate and cannot read or write Punjabi and had put his signatures in Urdu without reading the contents of those documents. Sarabjeet Kaur also told that she had signed the statements without reading the same, because ASI Piara Singh did not allow her to read the contents of the letter. When we asked as to why the media and union members are raising their fingers at the conduct of local police, Inspector Rajinder Singh Sohal said that there is internal dissidence in the truck union and a handful of members want to show their supermacy by accusing the police by spreading false rumors.

The tone and tenor of the statements of Inspector Rajinder Singh Sohal, ASI Piara Singh and SI Madan Singh to whom our team talked, appeared to be doubtful. Total denial of all major facts by the policemen show that they were lying, for obvious reasons.

FINDINGS:

After examining all the witnesses and circumstances leading to the suicide of the deceased Bhupinder Singh, the team has come to the following findings:-

1. The deceased had committed suicide due to unknown reasons, because there is no evidence of any other extra-ordinary circumstances between March 15, to March 18, 2003 when he committed suicide, but the possibility of feeling of depression or humiliation in the mind of the deceased, suffered at the hands of police personnel on March 15, 2003 cannot be ruled out.
2. The police version is completely false. No other reason could be found out for the Inspector's and ASI's false statement to the team, except to mis-lead the team from knowing the truth. Complete denial of making the "Begaar"(demand) from the truck union by the local police also

gives good reason for arriving at this finding.

3. There appears to be a strong nexus of corruption in the local police, as the “begaar” made by the police to send the truck to far off places like (Batala, Amritsar, Pathankot) and transport police horses to Anandpur Sahib has also come into light.

4. The police obtained the signatures of the relatives of the deceased and Baldev Singh “peer sohana” at Civil Hospital, SAS Nagar without disclosing the contents of their statements which proves the malafide intention of local police in hushing up the matter.

5. It has also come to notice of the team that some office-bearers of the truck union, SAS Nagar in connivance with the local police have tried to conceal material facts which favour the police version.

6. The allegations of the members of truck union, SAS Nagar with regard to the parking of the truck at the Police Station, Phase I, SAS Nagar on March 15, 2003 by the deceased and the parking of the truck with deflated tyre at the police station till the late evening of March 18, 2003, i.e. the date of death of the deceased are found to be correct from the statements of the members of truck union and examination of the truck in question (photographs of the truck enclosed).

7. The role of senior police officials of the district is also questionable because neither any departmental action has been initiated by the senior police officials, nor the guilty police officials have been reprimanded for their wrongful actions. It may be pertinent to mention here that the local Superintendent of Police is the son of the Director-General of Police, Punjab and every effort is being made to protect the Inspector Rajinder Singh Sohal and his staff.

Recommendations:-

1. It is recommended that an F.I.R. should be registered under sections 306/34, 342, 166, 323, 506 IPC against Inspector Rajinder Singh Sohal and Head Constable Happy Singh and they should be suspended immediately. Similarly, ASI Piara Singh, the Investigating Officer of the case must be booked for destroying evidence and fabricating false evidence as well as under section 218 of the I.P.C.

2. It is further recommended that the illegal acts of the local police in making “Begaar” from the truck union, SAS Nagar amounts to an offence of extortion and it should be stopped immediately from continuing such an offence failing which it will breed contempt for law among the general public.

3. It is also recommended that keeping in view the past tainted record of Inspector Rajinder Singh Sohal, he should be forthwith dismissed from service.

4. It is also recommended that the mother and un-married sister of the deceased should be compensated with ex-gratia grant from the State exchequer to the tune of Rs.10 lacs as the deceased was the only earning member of the family. His father had already expired few years ago.

5. Keeping in view the suspicious role of local police in the incident and improper investigation, it would be in the fitness of things if an impartial inquiry is conducted by an independent agency like CBI, because the case not only involves the death of a young man, but also relates to the illegal acts of local police in extorting the truck union to fulfill their "begaar".

CONCLUSION:

To conclude, we must accept that a police force without any transparency and accountability is bound to act beyond the pale of law, which ultimately causes irreparable loss to the social order and impignes upon the fundamental rights of the citizens. This comment appears to be most appropriate for Mohali police which is highly condemnable.

SAS NAGAR.

March 29, 2003

(AMAR SINGH CHAHAL)

(ARUNJEEV SINGH WALIA)

(AVTAR SINGH)

(S.P. SINGH)

(DEVINDER SINGH)